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# THE HISTORY
OF
# TWENTY-FIVE YEARS

VOL. II.

1865–1870

## HISTORY OF ENGLAND FROM THE CONCLUSION OF THE GREAT WAR OF 1815 TO 1858.

By SIR SPENCER WALPOLE, K.C.B.

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## SOME UNPUBLISHED LETTERS OF HORACE WALPOLE.

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# THE HISTORY

OF

# TWENTY-FIVE YEARS

BY

SIR SPENCER WALPOLE, K.C.B.

AUTHOR OF

'A HISTORY OF ENGLAND FROM THE CONCLUSION OF THE GREAT WAR IN 1815'

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THE

# HISTORY OF TWENTY-FIVE YEARS.

## CHAPTER VIII.

### THE AMERICAN CIVIL WAR.



The Foreign Office in Lord Palmerston's last Administration.

THE political truce, which prevailed throughout Lord Palmerston's last Administration, makes it difficult to infuse either interest or vivacity into the narrative of its domestic policy. The torpor, which reigned in the Legislature, was only removed by Mr. Gladstone's activity; and the House of Commons, like its leader, might have taken for its motto the Italian phrase: *Dolce far niente.* But if, in domestic legislation, the Cabinet refrained from heroic measures, the Foreign Office throughout the period was abnormally active. And the affairs, with which it dealt, were no temporary disputes involving merely transient results. On the contrary, the six years, during which Lord Palmerston's Administration endured, left their mark on the face of Europe and on the face of the world; for, in the earlier years of his Administration, Italy achieved her unity; in the middle years of his Administration the great struggle was fought out which preserved the union of the United States; in the closing years of his Ministry the foundation was surely laid on which the superstructure of a united Germany was almost immediately afterwards founded.

CHAP. VIII.

1860–64. The American Civil War.

The great war between the Northern and Southern States of America, which, ultimately resulting in the victory of the North, preserved the Union from disruption, was the most important struggle in which men of our own race and language had been engaged since the battle of Waterloo had brought the Napoleonic wars to a conclusion. Its remoter causes are to be sought in the policy of this country and in the policy of her revolted colonies during the eighteenth century. In one sense it may seem absurd to analyse these causes in a history of England; but those who share the author's view, that the United States is the greatest of English colonies, and that one of the chief facts in the history of modern England is that she is the mother of the great transatlantic republic, will not think it a mere waste of time and space to trace the origin of a war which will influence the future of the English race for many centuries.

Slavery in the United States.

Every Englishman knows that the cause which lay at the root of the struggle was the cause of slavery; but every Englishman does not perhaps sufficiently bear in mind that the curse of slavery was inflicted on the United States by English statesmen and English Parliaments.[1] No nation, throughout the eighteenth century, clung more resolutely to the slave trade than this country. The most popular article in the treaty of Utrecht was that which secured for British traders an absolute monopoly in the supply of slaves to the Spanish colonies.[2] Under George III. instructions were given to the Governor of Virginia, 'upon pain of the highest displeasure,' to assent to no law by which the importation of slaves should, in any respect, be pro-

[1] In what immediately follows I am transcribing to some extent an article which I contributed to the *Edinburgh Review*, January 1901, and which was written with a view to this chapter.

[2] Lecky, *Hist. of England*, vol. ii. p. 12.

hibited or restricted.[1] Lord Dartmouth, one of the most religious statesmen of the century, declared that we could not allow the colonies to check or discourage in any degree a traffic so beneficial to the nation;[2] and, in the hundred years which preceded 1766, English and colonial ships carried to the West Indies and the North American continent nearly 3,000,000 negroes. A quarter of a million more—one slave out of every thirteen—had died on the passage, and had been thrown into the Atlantic.[3]

In the meanwhile, opinion in America was already doubting the morality, the economy, and the expediency of slave labour. Franklin, as wise as he was humane, boldly argued that slaves rather weaken than strengthen a state; Congress responded by resolving that no slaves should be imported into any of the thirteen united colonies; and Vermont, Pennsylvania, Massachusetts, and other States abolished slavery. In fact, at the end of the eighteenth century, there seemed every prospect that slavery might gradually cease throughout the United States in consequence of a growing sense of the inutility of slave labour.[4]

The invention of the cotton gin stimulates the slave trade.

While opinion was slowly gravitating in this direction, a man, named Whitney, invented the cotton gin, a machine for cleaning cotton. The invention, at once, effected a revolution, directly in production, indirectly in thought. Before Whitney's invention, a slave could only clean 5 or 6 lbs. of cotton a day;[5] and the plant, in consequence, could only be cultivated with success in those Oriental countries where labour was procurable at a much lower cost than was required for the support and supervision of a slave. But, after

[1] Rhodes, *Hist. of the United States*, vol. i. p. 8.

[2] Lecky, *Hist. of England*, vol. ii. p. 15.

[3] Rhodes, *Hist. of the United States*, vol. i. p. 11.

[4] *Ibid.*, pp. 11, 14.

[5] Andrews's *History of the United States*, vol. ii. p. 1; cf. *The Cambridge Modern History*, vol. vii. p. 688.

CHAP. VIII. 1860–64.

Whitney's invention, a slave could clean 1,000 lbs. of cotton in a day's work. The process of cleaning the fibre formed thenceforward a comparatively insignificant item in the cost of production; and its cultivators naturally moved to the Southern States, whose climate, like that of the Carolinas and Georgia, is peculiarly adapted to its growth. As, however, white men cannot continuously labour in these hot regions, a demand arose for slave labour; and slavery, which might otherwise have perished, was thus confirmed and strengthened by Whitney's invention.

There were, indeed, States, in which slavery still existed, which were not so well suited for the cultivation of cotton as the two Carolinas and Georgia; but, if white men could work and thrive in the comparatively temperate regions of Kentucky, Virginia, Delaware, and Maryland, 'the salubrious climate of these States produced a hardy labourer who was in great request in the sugar and cotton districts.'[1] They became the producers of the slaves reared to work in the more Southern States.

The growth of population in the Northern States.

The Southern States, which were thus interested in slavery, were originally at least as populous and wealthy as the Northern States in which it was abolished;[2] but, as the nineteenth century wore on, the balance which thus originally existed was gradually altered. The North, in fact, was growing faster than the South. In 1790, the two sections were nearly equal in population; 'but in 1820, in a total of less than ten millions, there was a difference of nearly 700,000 in favour of the North.'[3]

In the meanwhile the States had been increasing in number. Between 1790 and 1820 Vermont had been

[1] Rhodes, *Hist. of the United States*, vol. i. p. 315.

[2] Slavery was abolished in New Jersey, the last of the Northern States to retain it, in 1804. *Ibid.*, p. 28.

[3] *Ibid.*, p. 30.

separated from New York; Kentucky from Virginia; Tennessee from North Carolina; Mississippi from Georgia; the territory of Louisiana had been acquired by purchase from France; while Ohio, Indiana, and Illinois—the three States which fringe the shores of Lakes Michigan and Erie—had sprung into existence. By a tacit agreement these States had been admitted to the Union 'in pairs, a free State and a slave State coming in about the same time. Thus Vermont and Kentucky, Tennessee and Ohio, Louisiana and Indiana, Mississippi and Illinois, had each been an offset to the other.'[1] Alabama, another slave State, was carved out of Georgia in 1819; but this addition to the number of slave States placed them on an exact numerical parity with the free States.

The Missouri Compromise.

Things were in this position, when the growth of the great territory, which is now known as the State of Missouri, raised into prominence the question of its separate admission to the Union. Missouri had previously formed part of Louisiana; as such, slavery was legal within her boundaries, and slavery she was determined, on her admission to the Union, to maintain. Politicians in the North, however, disliked the notion of increasing the weight of the South by the addition of a new slave State, and endeavoured to stipulate that the further introduction of slaves into the new State should be prohibited, and that children born in it, after its admission to the Union as a State, should be free on completing the twenty-fifth year of their age. This proposal was carried in the House of Representatives in 1819, but defeated in the Senate.[2] In 1820, however, Maine, separating from Massachusetts, applied for admission to the Union. It

[1] Rhodes, *Hist. of the United States*, vol. i. p. 30.

[2] *Ibid.*, pp. 30–32; cf. *The World's History*, edited by Helmholt, vol. i. p. 528.

CHAP. VIII. 1860–64.

became possible, in consequence, to treat Maine as an offset against Missouri; and it was finally decided to admit both States, but to prohibit slavery in every other portion of the old Louisiana territory which lay to the north of the parallel 36° 30′, the line which forms the southern boundary of Missouri. This arrangement is known in history as the Missouri Compromise. Its conclusion made it possible to maintain peace between North and South for thirty years; its virtual repeal in 1850 led to the agitation which produced the American Civil War.

In these thirty years the North continued to grow more rapidly than the South, and its expansion gave it a constantly increasing weight in Congress. The representation of each State, in the House of Representatives, depends, it must be recollected, on its population; and the more rapid growth of the North was therefore steadily adding to its voting power. In the Senate, where each State enjoys an equality of representation, the South still retained its old share of power; but, both in the House and in the periodical contests for the presidency, its relatively slower growth was gradually transferring power to the North.

The gradual transfer of political power to the Northern States.

The shifting of the political balance would, indeed, have been more rapid if the North had spoken with one voice on the great question before the country; but, while in the slave States opinion was practically unanimous, in the North it was sharply divided. Many men of influence in the North, as owners, as mortgagors, or as traders, had a personal interest in the maintenance of slavery. They were just as warm in their defence of it as their fellow-countrymen in the South; and they resented, as keenly as the Southern slave owners themselves, any and every proposal for its termination. Many other men in the North thought that slavery had been virtually recognised by the founders of the American Union, and were not

prepared to abolish, by any arbitrary action, an institution which the law and the constitution allowed.

Southern statesmen were already dreaming of redressing the balance, which was slowly inclining against them, by the addition of new States in which slavery might be established. There were two ways in which the territory of the United States could obviously be extended. Cuba belonged to Spain, but it was in close proximity to the United States, and it was in a condition of chronic insurrection which seemed to some people to justify, or even necessitate, intervention. Texas belonged to Mexico, but it was largely peopled by emigrants from the United States. While France and England were wasting their resources in the Crimean War, a struggle between the United States and Spain seemed almost inevitable. War with Spain was eventually avoided; but the annexation of Texas led directly to the Mexican War.

The annexation of Texas.

Texas, at the commencement of the nineteenth century, was part of that vast province of Mexico which the sword of Cortez had given to Spain. Until 1804, it was separated from the United States by the great colony of Louisiana. In 1819, when Mexico threw off the yoke of Spain, Texas became part of the Mexican Republic. Bordering on the United States, however, partly peopled by immigrants from her greater Northern neighbour, and establishing slavery, which Mexico rejected, she had little sympathy with the Government under which she was nominally placed. At last, in the thirties, Texas rebelled, defeated the Mexicans, and established a government of her own. Her independence was recognised by the United States, and soon afterwards by the Western powers of Europe.

It was perhaps natural that the citizens of Texas—many of whom had migrated from the Southern States—should have looked forward with longing eyes

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to eventual absorption in the great republic. It was equally natural that the citizens of the Southern States should desire the absorption into the Union of a territory which offered large opportunities for slave labour. The reasons, however, which induced the South to desire annexation, made the Northern States opposed to it. They objected to the addition of 'a new, vastly extensive, slave-holding territory.'[1] They foresaw that its annexation, by increasing Southern influence, would make the future of slavery more assured.

Notwithstanding the opposition of Northern statesmen, the idea of annexation made progress. The experience of our own country may perhaps teach us that it was bound to grow; for, when the people of a highly organised community cross, in any number, into an unorganised territory, they are certain sooner or later to desire to introduce into it their own laws, their own institutions, their own language. Even in the North, a proposal, which was calculated to increase the area and influence of the great republic, had attractions for many of the electors. The policy of annexation was accordingly endorsed at the presidential election of 1844; and Texas soon afterwards was admitted to the Union as a new State. How keenly Northern statesmen felt the consequence of this action, may be inferred from the remarks of an ex-President, Mr. Adams. 'The treaty for the annexation of Texas was this day sent to the Senate; and with it went the freedom of the human race.'[2] Even to this hour few American historians

[1] The words are Webster's. He added emphatically: 'In my opinion [the people of the United States] ought not to assent to it.' Rhodes, *Hist. of the United States*, vol. i. p. 77. Dr. Helmholt writes: 'Among the real influences [favouring annexation] were the populations of the young States of the West. Here, on soil reclaimed within the life of the Union . . . a party had come into existence under the watchword of "a great America," which, though in the first instance confining its ambition to the mere acquisition of Texas, aimed at . . . the possible absorption of the whole of the decayed republic of Mexico.' *The World's History*, vol. i. pp. 538, 539.

[2] Rhodes, *Hist. of the United States*, vol. i. p. 81, *note*.

have attempted to justify the policy which secured this great territory to their country; but perhaps the time may come when Americans may think that Mr. Emerson was not far wrong in saying that 'the annexation of Texas is one of those questions which look very differently to the centuries and the years.' [1]

The annexation of Texas gave Mexico a ground for war with the United States. Mexico had never recognised the independence of Texas. She could hardly be expected to tolerate its absorption in the great republic. The United States, however, were strong; Mexico was weak; and the wisest American statesmen were of opinion that, if she had been given a reasonable excuse for inaction, she would have refrained from pushing her differences with her powerful neighbour [2] to an issue. The politicians of the Southern States, however, were already intent on further developments. On the west of Texas was the territory of New Mexico, which lay athwart the path on which American ambition was already resolved to march on its western progress. Still farther to the west, on the fringe of the Pacific Ocean, was that great district of California which had been subject to Mexico since 1823, and which was destined, in the immediate future, to play so great a part in the economical history of the world. The line, moreover, which separated the two countries was not accurately defined. United States troops, under General Taylor, crossed the disputed frontier; Mexican soldiers resisted the intrusion; blood was shed, and the President, urging bloodshed as a reason, asked Congress to declare war.[3]

The Mexican war.

In a literary sense, the English-speaking race owes much to the Mexican war. It inspired the first part of

[1] Rhodes, *Hist. of the United States*, vol. i. p. 76, *note*.

[2] Mr. Andrews says: 'War might have been averted; and our Government, and not Mexico's, was to blame for the contrary result.'

[3] Rhodes, *Hist. of the United States*, vol. i. p. 88.

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the 'Biglow Papers,' and created such characters as Birdofredom Sawin, Parson Wilbur, and Hosea Biglow. In a military sense, it will chiefly be recollected for the achievements of the United States troops under General Scott. With some exaggeration, speaking in New York, Sir Henry Bulwer declared that, if 'Waverley' and 'Guy Mannering' had made the name of Scott immortal on one side of the Atlantic, Cerro Gordo and Churubusco (the scenes of General Scott's victories) had equally immortalised it on the other.[1] In a political sense, it added 260,000 square miles of territory to the possessions of the great republic; it laid the foundations of the power which the United States have since consolidated on the Pacific;[2] and it led to the Compromise of 1850. The controversy between North and South, which that compromise vainly strove to settle, precipitated the measures which culminated in the great American Civil War.

The seeds of that controversy were sown before the war with Mexico was terminated. Both in 1846 and 1847, the President asked Congress for a large sum of money to be employed at his discretion in negotiating a peace.[3] The Northern members put up one of their number, Mr. Wilmot, of Pennsylvania, to propose, as a vital condition to the grant, that slavery should for ever be prohibited in the territory to be acquired under the treaty. The 'Wilmot Proviso,' as it was called, was carried in the House of Representatives, but rejected by the Senate in 1846: in 1847, however, the House gave way. The loss of the proviso settled nothing,[4] and, when peace was finally secured in 1848, and California and New Mexico passed into the keeping

The annexation of New Mexico and California.

[1] Rhodes, *Hist. of the United States*, vol. i. p. 90, *note*.

[2] It is perhaps worth while mentioning that in 1848, the date of the treaty with Mexico, San Francisco was forty days' journey from New York. *Ibid.*, p. 111.

[3] *Ibid.*, p. 90. The money was apparently used in ways which could not be conveniently disclosed, Mr. Rhodes calls it secret service money.

[4] *The Cambridge Modern History*, vol. vii. p. 397.

of the great republic, it had not been finally arranged whether the new territory should be slave or free.

The arguments of the North were these: Slavery had been abolished in Mexico; it followed that slavery did not exist in territory conquered from Mexico, and that any States ultimately carved out of the new territory should be free. It was not altogether easy to answer this reasoning; but it was natural that the South should not accept it. The addition of a vast territory, in which freedom was to prevail, would increase the political influence of the North. Much of the new territory, moreover, which had been acquired from Mexico lay south of the parallel 36° 30′, which the Missouri Compromise had recognised as the dividing line between free and slave labour; and it was perhaps inevitable that, as the North had insisted that slavery should not exist on one side of this line, the South should reply that it should not be abolished on the other. With some moderation, indeed, the South contended that each territory, being a sovereign commonwealth, should fix its own destiny. The squatters in the new territory, to use the slang of the time, constituted a 'squatter sovereignty,' and should themselves determine whether the territory in which they squatted should be slave or free.

Squatter sovereignty.

While, then, the North took its stand on the principle that slavery should not be introduced where slavery did not already exist, the South based its case on the right of the people to determine their own destiny. The argument of the North remained unanswered, and the weapon which the South had forged to defeat it broke in its own hands. For, while the controversy was still enduring, and the issue was still uncertain, the discovery of gold in California altered the conditions of the problem. Notwithstanding the difficulties of the journey—and in 1849 the immigrant into California

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had to choose between the hardships of a waggon route of more than two thousand miles, the dangers of an ocean voyage in a sailing vessel round Cape Horn, and the hazard of crossing the Isthmus of Panama, and awaiting, in one of the most deadly climates of the world, the possible arrival of some steamer on the Pacific coast—there was a rush from all quarters to the new El Dorado. More than 80,000 persons went to California in 1849 alone.[1] The immigrants had to establish some sort of government; they framed their institutions on the models with which some of them were familiar in Iowa and New York, and they incidentally prohibited slavery. 'Squatter sovereigns,' at any rate in California, had settled the question which the South was contending that 'squatter sovereignty' should determine. They had decided that California should be free.[2]

California declares herself a free State.

At the time when California was casting her lot in favour of freedom, the knowledge that men were acquiring of the great territory of New Mexico was slowly convincing them that its soil was not adapted to slave labour. What a great American statesman called the ordinance of nature and the will of God, had made it certain that New Mexico would not support a large slave population.[3] Circumstances, in short, which were stronger than parties, were giving the North the victory in the new controversy which had arisen. It was hardly worth while to contend that slavery should not be instituted in the new territory, when California had already rejected it, and when every day's experience made its introduction into New Mexico

[1] Rhodes, *Hist. of the United States*, vol. i. p. 113.

[2] *Ibid.*, pp. 115, 116.

[3] Mr. Webster said: 'What is there in New Mexico that could by any possibility induce anyone to go there with slaves? There are some narrow strips of tillable land on the borders of the rivers; but the rivers themselves dry up before midsummer is gone . . . And who expects to see a hundred black men cultivating tobacco, or anything else, on lands made fertile only by irrigation? I would not take pains uselessly to reaffirm an ordinance of nature or to re-enact the will of God.' *Ibid.*, p. 147.

more unlikely. The North might still dislike conceding the principle of squatter sovereignty for which the South contended; but it was daily becoming more probable that, if it yielded the principle, squatter sovereignty would decide against the South and slavery.

If the question of the future of New Mexico had stood alone, it might have been suffered to slumber undisturbed; but it so happened that there was another and more acute cause of difference between North and South. From 1793, a law had been in force throughout the United States which required the surrender—or, as the Americans called it, the rendition—of fugitive slaves.[1] This law naturally provoked strong protests in the Northern States. Lord Mansfield had decided, in the Sommersett case,[2] that a slave brought to England must be set free. The citizens of Massachusetts contended that the principles which had guided Lord Mansfield should be applied to New England, and that the fugitive slave escaping to their territory should be free. The Legislature of Massachusetts actually passed a statute making it penal for any officer of the State to carry out the Act of Congress of 1793 for the surrender of fugitive slaves. A few years later, the Legislature of Pennsylvania prohibited the judicial authorities of the State taking any cognisance of a fugitive slave case.[3] However much sentiment and feeling may approve this legislation, it is not easy to deny that a Southern slave owner had a right to complain that individual States should render inoperative the arrangements which Congress itself had made for the rendition of fugitive slaves.[4]

The Fugitive Slave Law.

[1] Rhodes, *Hist. of the United States*, vol. i. p. 24.

[2] May's *Const. Hist. of England*, vol. iii. p. 36.

[3] Rhodes, *Hist. of the United States*, vol. i. p. 126.

[4] Great abuses, it is fair to add, were committed under the Rendition Act. It seems indeed certain that free people of dark colour were kidnapped under the Act in the Northern States, and carried into slavery. Andrews, *Hist. of the United States*, vol. ii. p. 10.

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Thus, as the first half of the century was drawing to a close, two great questions were separating North from South. The difference in the one case—that of 'squatter sovereignty'—was one of principle, and had not much practical significance; the difference in the other—that of fugitive slaves—was one of practice, and raised no great principle; but at the root of both of them lay the question of free and slave labour. In the South, interest was teaching men to believe that slavery was 'a great religious, social, and moral blessing;'[1] but in the North it was regarded as an accursed thing, to be confined to the territory in which it was already so firmly rooted.

The acute difference between the North and the South.

These differences were so acute that many men in the South were already threatening secession. It became, in consequence, the interest of moderate statesmen, who placed their country before party, the maintenance of the Union before the abolition or retention of slavery, to try to arrange the dispute. The Missouri Compromise of 1820 had held things together for thirty years. Was it beyond the capacity of statesmanship to devise some compromise in 1850 which might similarly endure?

The Compromise of 1850.

One man there was in the American Senate whose services, whose ability, whose temperament specially fitted him to assume the rôle of mediator. Mr. Henry Clay was a Southerner and a slave owner. Born before the conclusion of the revolutionary war, he had served as Speaker of the House of Representatives, and had been a popular candidate for the Presidency. Mr. Clay

[1] The phrase is taken from Mr. Webster's description of the attitude of the South in 1850. Rhodes, *Hist. of the United States*, vol. i. p. 146. Before condemning the opinion of the South, the reader should recollect how strongly De Tocqueville was impressed with the difficulties of abolishing slavery. See *Democracy in America*, vol. i. pp. 361–368. He should also recollect that Mr. Carlyle defended slavery in language which perhaps even a Southern planter would have hardly ventured to employ. *Miscel. Essays*, vol. vi. p. 343 *seq.*

proposed, *inter alia*, (i) that Congress should admit California into the Union as a free State; (ii) that territorial governments should be established in the other territories acquired from Mexico without any restriction as to slavery; and (iii) that more effectual provision should be made for the rendition of fugitive slaves.[1] The compromise was supported by Mr. Webster, and was ultimately adopted.

In words this compromise was in favour of the South; it affirmed the principle, for which Southern statesmen had throughout contended, of squatter sovereignty; and the Wilmot Proviso, to which the North had attached so much importance, was quietly surrendered. But, in substance, the compromise was in favour of the North, for the stars in their courses were fighting against slavery. What Mr. Webster had called the ordinance of nature and the will of God, had made it unlikely that slavery would exist in any of the new territories. California had rejected it; it was almost certain that New Mexico would equally reject it. It was useless, therefore, so he argued, for Congress to reaffirm what nature had ordained, and to insist on a proviso that there should be no slavery in territories into which no one seriously dreamed of introducing it. It was true, indeed, that the article for the rendition of fugitive slaves was offensive to the conscience of the North; but this concession was one which the South had a moral right to demand, for it constituted nothing more than an efficient provision for carrying out a law which had proved ineffectual. In common honesty, while the South had a legal right to claim the surrender of a slave, the North had no right to object to Congress insisting on his surrender.

[1] There were other provisions relating to slavery and the slave trade in Columbia, and to the boundaries and public debt of Texas, but it is not necessary to cumber the text with them.

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If, then, the Compromise of 1850 be examined from a neutral standpoint, a good deal may be urged both for its provisions and its authors. But the Northern people were in no mood to criticise it from this point of view. In politics, it is too often forgotten that sentiment is a stronger force than reason; and sentiment in the North had pronounced definitely against slavery. From 1831, when Mr. Garrison, one of the great journalists of the nineteenth century, had established the 'Liberator;' from 1835, when Dr. Channing, one of the great preachers of the century, had published his work upon slavery, the conscience of the North had been gradually awakened. Poets, like Mr. Whittier and Mr. Longfellow, whose songs are still read on both sides of the Atlantic, had come forward to express their approval of Mr. Garrison's and Dr. Channing's labours, and a generation was consequently growing up nurtured on what may perhaps be called abolition literature.[1] The South produced no such singers as Mr. Whittier and Mr. Longfellow, no such apostles as Mr. Garrison and Dr. Channing. In opposition to the appeals, which these men were making to opinion, they could only rely on the power, the evidently waning power, which their representatives still exercised in Congress.

The indignation of the North at its provisions.

Large as had been the consequences which had already ensued from the publication of the 'Liberator,' from the writings of Dr. Channing, and from the poetry of Mr. Whittier and Mr. Longfellow, they were as nothing to the agitation which arose from the adoption of the Compromise of 1850. Northern abolitionists were shocked at the notion that Congress should not merely forbid them to shelter fugitive slaves, but should

[1] It may be recollected that Mr. Whittier encouraged Mr. Garrison in the ode commencing:

Go on,—for thou hast chosen well;
On, in the strength of God.

While Mr. Longfellow in similar language was urging Dr. Channing to—

Go on, until this land revokes
The old and chartered Lie,
The feudal curse, whose whips and yokes
Insult humanity.

place the administrative machinery of the Northern States at the disposal of the slave hunter. Mr. Whittier deplored what he considered Mr. Webster's apostasy in the lines beginning—

> So fallen! so lost! the light withdrawn
> Which once he wore!
> The glory from his gray hairs gone
> Forevermore.

Abolitionists, however, did not confine themselves to deploring Mr. Webster's political apostasy. In 1851 the people of Boston forcibly rescued a fugitive slave, in the custody of the Deputy Marshal of the State, and enabled him to escape to Canada; and Mr. Theodore Parker, the most popular preacher in Massachusetts, declared the rescue to be 'the most noble deed done in Boston since the destruction of the tea in 1773.[1] Similar determination to resist or frustrate the law was shown both in Massachusetts and other States. But a still stronger blow was struck against slavery; for, early in 1852, Mrs. Beecher Stowe, writing under the influence of the Compromise of 1850,[2] published 'Uncle Tom's Cabin.'

The publication of 'Uncle Tom's Cabin.'

No book published in the nineteenth century, or, perhaps, in any century, exerted a wider influence on politics. Circulating by hundreds of thousands, translated into many languages, it appealed to a larger constituency than did the poetry of Mr. Whittier or Mr. Longfellow, or the writings of Mr. Garrison or Dr. Channing. It was no doubt a political pamphlet, published under the guise of a novel; but, as a pamphlet, it was the more telling from its scrupulous moderation. Though it painted the cruelties and miseries of slavery in the darkest colours, it made full

[1] Rhodes, *Hist. of the United States*, vol. i. p. 210.

[2] Mr. Whittier wrote: 'Thanks for the Fugitive Slave Law! Better for slavery that law had never been enacted, for it gave occasion to *Uncle Tom's Cabin*.' Introduction to *Uncle Tom's Cabin*, p. xvi.

allowance for the difficulties of the South, it gave generous recognition to the fact that many Southern slave owners disliked the institution from which they saw no means of freeing themselves, and that many Southern gentlemen were actuated by feelings towards their slaves far kindlier than those with which the negroes were regarded in the North.[1] It is a remarkable proof of Mrs. Stowe's fairness that, when Uncle Tom is sold by Mr. Shelby, he falls into the hands of St. Clare, and that it is only after St. Clare's death that we are introduced to the monster Legree.

Great, however, as was the influence of this remarkable novel, powerful as was its effect on opinion throughout the States, authority in the North did its utmost to carry out fairly and faithfully the compromise of 1850. If private individuals in the North devised 'the underground railway,' or the secret organisation by means of which good people, in defiance of the law, undertook to receive fugitive slaves and pass them on from house to house to Canada and safety, the Executive Government in each State seems to have endeavoured to enforce the law, and to use the machinery at its disposal to give effect to its provisions.

In other ways, too, the compromise seemed likely to bear fruit. Mr. Pierce, who became President in 1853, though a Northerner by birth, was a Democrat in politics; and he conciliated Southern opinion by appointing Mr. Jefferson Davis, who was already known as the most prominent representative of slave owners, to high office in his Cabinet.[2] The country was in fact

[1] M. de Tocqueville had noticed the same thing in a striking passage. 'Whosoever has inhabited the United States, must have perceived that, in those parts of the Union in which the negroes are no longer slaves, they have in no wise drawn nearer to the whites. On the contrary, the prejudice of the race appears to be stronger in the States which have abolished slavery, than in those where it still exists; and nowhere is it so intolerant as in those States where servitude has never been known.' *Democracy in America*, vol. i. p. 364.

[2] Rhodes, *Hist. of the United States*, vol. i. pp. 249, 250, 277, 388.

tired of agitation; and moderate people, even in the North, were ready to accept the Fugitive Slave Act as the price—the high but necessary price—of peace and union.

The Kansas-Nebraska Territory.

Yet, at this moment, a new and greater agitation was slowly commencing. In the centre of the United States a vast dominion, originally acquired from France as part of the Louisiana purchase, embracing nearly 500,000 square miles of territory, was still unorganised. In this magnificent domain, over which the aboriginal Indian roamed at will, in the middle of the nineteenth century, there were not more than a thousand white people. It was known as the Kansas-Nebraska Territory, though it extended far beyond the limits of the States which are now called by those names. A Bill for its organisation was referred by Congress, in 1853, to the Committee on Territories, a committee which had for its chairman Mr. Douglas, who had been a prominent candidate for the Presidency, and who was one of the most effective debaters in the United States Legislature.[1] Mr. Douglas, following up the reasoning on which the compromise of 1850 had been based, argued that all questions relating to slavery in any territory were thenceforward to be decided by the people residing in it, and that all cases relating to property in slaves were to be settled by local tribunals, subject to an appeal to the Supreme Court. This reasoning raised a storm in the Northern States, which, in the language of a leading senator,[2] was such 'as this country has never yet seen.' Crowded meetings in New York, in Boston, in Chicago, and in other towns denounced the measure founded on

In the debate upon the compromise, Mr. Jefferson Davis asserted that 'slavery was established by decree of Almighty God; and that through the portal of slavery alone has the descendant of the graceless son of Noah ever entered the temple of civilisation.' Rhodes, *Hist. of the United States*, vol. i. p. 371.

[1] *Ibid.*, pp. 425, 426.

[2] For Mr. Douglas's report, *ibid.*, p. 427; for Mr. Seward's description of its effect, *ibid.*, p. 463.

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the report as a great moral wrong, and as a breach of faith subversive of all confidence in national engagements.[1] Some men there were, indeed, who thought that, evil as the Bill was, good eventually would ensue from it. 'This Bill,' wrote Mr. Sumner, 'is at once the worst and the best Bill on which Congress ever acted. It is the worst Bill, inasmuch as it is a present victory of slavery; it is the best Bill, because it prepares the way for that All hail! hereafter, when slavery must disappear.'[2]

The struggle in Kansas.

In passing the Bill, Congress virtually repealed the compromise of 1820; for by this compromise slavery was abolished in the territory, and the Kansas-Nebraska Bill left the inhabitants the power of reviving it. The Bill also gave effect to the principle of squatter sovereignty, which had been raised into prominence after the Mexican war, but to which Mr. Douglas, with some wisdom, now gave the more high-sounding name of popular sovereignty. Whether the sovereignty was squatter or popular, the future state of Kansas was to be decided by it. It became, therefore, the interest both of North and South to send settlers into the new territory. In this strange race for superiority the South had the first advantage. The easiest access to Kansas lay through Missouri, and passengers from Missouri, who could hardly be called squatters, crossed into Kansas, and chose a Legislature which enacted a complete code of slave laws; but the North soon retaliated by sending into the territory bands of men armed with a new breech-loading rifle, which it was expected would afford a more powerful argument than the ballot box.[3] The South naturally supported its own immi-

[1] Rhodes, *Hist. of the United States*, vol. i. pp. 465, 467, 478.

[2] *Ibid.*, p. 490. There is an excellent chapter, on the History of the United States from 1850 to 1860, by Mr. Woodrow Wilson, in *The Cambridge Modern History*, vol. vii. pp. 405–442. The reader will find it a safe guide on the Kansas struggle and on other matters.

[3] Helmholt, *The World's History*,

grants. A miniature civil war broke out in the unfortunate territory. The two powers mustered 'considerable armies, fighting battles, capturing towns, and paroling prisoners.'[1] The Executive Government of the United States made no real effort to maintain order, and peace was gradually restored, not through the action of the Executive, but because the partisans of the North proved too strong for the adherents of the South, and succeeded in establishing the order which results from victory.

While this struggle was still in progress, the presidential election of 1856 took place. In all previous contests the issue had lain between the representatives of the Democratic and Whig parties. The passing of the Kansas-Nebraska Act, however, had alienated Northern sympathy from the Whigs, and had led to the formation of a new—the Republican—party, founded on the principle of no extension of slavery. The Democratic candidate, Mr. Buchanan, a man who had held high office in Washington, and who had represented the United States in London, succeeded in defeating the Whig candidate, Mr. Fremont, who was chiefly known as an energetic explorer in the still unpenetrated West. But, though the victory was with the Democrats, Mr. Fremont secured an unexpectedly large support, and the Democratic party, notwithstanding its success, was depressed by the results of the campaign. At the very outset, however, of Mr. Buchanan's administration, a decision of the Supreme Court restored the confidence of the South. Dred Scott, a negro, had been taken by his master, an army surgeon, to Fort Snelling, in the northern part of the old Louisiana territory, where

The Dred Scott case.

vol. i. p. 545. It may be recollected that Mr. Whittier wrote for the Kansas emigrants the spirited song commencing:

> We cross the prairie, as, of old,
> The pilgrims crossed the sea,
> To make the West, as they the East,
> The homestead of the free.

[1] The quotation is from an excellent article on the United States in the *Encyclopædia Britannica* (9th edition).

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slavery had been prohibited under the terms of the Missouri Compromise. He sued for the freedom of himself and his family; and the Court, in deciding that he was a slave, and in relegating him to slavery, went out of its way to declare (1) that a negro, whose ancestors had been imported into the States, could not become entitled to the rights and privileges of a citizen; and (2) that, as the right of property in a slave had been expressly affirmed in the Constitution, it was not in the power of Congress to give property of that kind less protection than any other property.[1] The first of these conclusions was soon condensed into the aphorism, 'Negroes had no rights which the white man was bound to respect.' The second of them led to the corollary that Congress had exceeded its powers in passing the Missouri Compromise; for, if Congress was bound to recognise property in slaves throughout the States, it could not declare that, in large portions of the territory, slavery should be illegal.

In the Southern States, this decision was naturally regarded as a victory. Extreme men on the Southern side, indeed, thenceforward abandoned the theory of squatter or popular sovereignty, and demanded that property in slaves should be recognised and enforced throughout the States. 'If the territorial legislatures will not protect us,' said a Southern statesman—and the argument was fully affirmed by Mr. Jefferson Davis—'the obligation is upon Congress. If I cannot obtain the rights guaranteed to me and my people under the Constitution, as expounded by the Supreme Court, my mind will be forced irresistibly to the conclusion that the Constitution is a failure, and the Union a despotism, and then, sir, I am prepared to retire from the concern.'[2] Some Southerners, indeed, were not

[1] Rhodes, *Hist. of the United States*, vol. ii. pp. 255, 257.
[2] *Ibid.*, vol. i. p. 356.

content with the rights which the Supreme Court had secured them. The people of Maryland in 1860 actually drew up a petition to the Legislature asking it to declare all the free negroes living in the State slaves.[1]

If the decision of the Supreme Court raised the spirits of the South, its effects in the North were very similar to those which had ensued in this country from the judgment in the Hampden case more than two centuries before. The judicial success of Charles I. paved the way for his downfall: the judicial success of the slave owners paved the way for the abolition of slavery. For, under that decision, it was no longer a question of confining slavery to the existing slave States. The North was threatened with the introduction of slavery into its own domain; and abolitionists were driven to the conclusion that there was no longer room for compromise. The States, as Mr. Seward said, in a speech which became famous, were involved in 'an irrepressible conflict between opposing and enduring forces, and must become either entirely a slaveholding nation or entirely a free-labour nation.'[2] And a stronger man than even Mr. Seward was slowly coming to the front, and enforcing the same view. 'A House divided against itself,' so spoke Mr. Lincoln, 'cannot stand. I believe the Government cannot endure permanently half slave and half free. I do not expect the House to fall, but I do expect it will cease to be divided.'[3]

[1] *Times*, 19th of January, 1860. Lord Brougham, speaking a few days afterwards, declared that what was only a threat in Maryland had actually been done in Arkansas and Missouri. *Hansard*, vol. clvi. p. 207. But I have not succeeded in tracing Lord Brougham's authority for the statement; and, for the credit of our race, I trust that he was misinformed.

[2] Rhodes, *Hist. of the United States*, vol. ii. p. 344.

[3] *Ibid.*, p. 315. The reader will find few better accounts of opinion in the States before the Civil War than in the chapter, 'A Quiet Sunday in Locust Street,' in Mr. Winston Churchill's *The Crisis*. The standard authority on Mr. Lincoln's career is the great History, by Messrs. Nicolay and Hay. But the English reader, who desires to find a short appreciation of the character of this great man, may consult the address delivered by Mr. Choate in 1900

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The presidential election of 1860.

The issue, therefore, at the presidential election of 1860 was larger than that at the contest of 1856. In 1856, the North had contended that slavery should be confined to those States in which it had been already established; in 1860, the South was claiming that property in slaves should be recognised throughout the Union. It so happened that other circumstances imparted heat to the contest, and made the issue of supreme economical and political importance. In the first place, the Southern States were enjoying an exceptional measure of prosperity; the demand for slave-grown cotton had enormously increased;[1] the demand for slave labour had proportionately risen; and the value of slaves in the market was higher than at any previous period. In fact, the price of an able-bodied slave was, at least, 1,500 dollars in 1860; and, if the average value of all the slaves in the Southern States be placed at only one-fifth the value of the able-bodied slaves, the 4,000,000 slaves in the Southern States were worth 1,200,000,000 dollars, or say 250,000,000*l.*[2] The material interests at stake, therefore, were simply gigantic. But, in the next place, Southern statesmen might reasonably be alarmed at their own decreasing capacity to defend their position, for the North was rapidly beating the South both in population and in power. It has already been stated that in 1790 the two sections were almost equal; and that in 1820, out

before the Edinburgh Philosophical Union, which was subsequently published.

[1] The importation of cotton into the United Kingdom had increased from 63,000,000 lbs. in 1830 to 1,034,000,000 lbs. in 1859. More than 8 lbs. out of every 10 came from the United States. The vast increase was largely due to the repeal of the cotton duties. See Lord Brougham's speech, *Hansard*, vol. clvi. p. 206. It may perhaps be argued that free trade in this country, by increasing the demand for slave-grown cotton, was partly responsible for the multiplication of slaves and for the increased difficulty of abolishing slavery.

[2] This estimate is very moderate. Mr. Rhodes says that a current and very high estimate of their value was $4,000,000,000, or more than three times the sum given in the text. *Hist. of the United States*, vol. iii. p. 27, *note*. Cf. for the price of an able-bodied slave, p. 56.

of a population of ten millions, there was a balance of 700,000 people in favour of the North. In 1860 the population of the Republic had risen to thirty-one millions; but only twelve millions of these inhabited the Southern States, and of these twelve millions some four millions were slaves. In 1850, again, the slave States and free States had been equal in number. In 1860 there were eighteen free States and only fifteen slave States; and, while it was obvious that more free States would ultimately be created, there seemed little chance of any more slave States being formed.[1]

If, then, Northern statesmen were right in talking of an irrepressible conflict, a Southern statesman might reply that, if the conflict was irrepressible, it could not come too soon. From a Southern standpoint, moreover, there was another reason for bringing matters to an issue; for the South was not merely confronted with the rapid growth of the North, it had also to reckon with enthusiasts, who were not always very scrupulous in their methods and in their management. In 1859, for example, on the eve of a new contest for the Presidency, a religious enthusiast, John Brown,[2] seized the arsenal at Harper's Ferry, proposing from that vantage ground to make incursions into the adjoining slave districts, and to liberate and arm the slaves. Authority naturally regarded this proceeding as an act of treason. Brown was seized, tried, and hanged. And it is difficult to see that authority could have acted otherwise. Yet there was truth in Brown's heroic declaration: 'As I trust my life has not been thrown away, so I also humbly trust that my death will not be in vain. God can make it to be a thousand times more valuable to His own cause than

The raid of John Brown.

[1] *Encyc. Britannica*, sub 'United States;' Rhodes, *Hist. of the United States*, vol. ii. p. 418.

[2] In 1856, during the troubles in Kansas, John Brown had avenged some murderous outrages which had been perpetrated by the adherents of the South, by the cruel murders which are known in American history as the massacre on the Pottawatomie. Rhodes, *Hist. of the United States*, vol. ii. p. 163.

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all the miserable services (at best) that I have rendered it during my life.'[1] And his death and life illustrated how wide the difference was between North and South; for the man, whom the South regarded as a felon, the North regarded as a martyr. Brown of Ossawatomie is the subject of one of Mr. Whittier's pathetic poems; and the refrain—

> John Brown's body lies a-mouldering in the grave,
> But his soul goes marching on—

stirred the Northern armies as the soldiers of Dumouriez had been stirred by the notes of the 'Marseillaise' at Jemappes.

Conscious of the magnitude of the interests at stake, aware of its own diminishing influence in Congress, and irritated not merely at the incidents of the raid, but at the moral support which John Brown was receiving from men of light and leading in the North, the South was suddenly confronted with the news of Mr. Lincoln's election to the Presidency. That election not only proved that supremacy had passed from the keeping of the great Democratic party: it also showed that power had been entrusted to the man who had publicly declared that the United States could not remain half slave and half free.

Mr. Lincoln is elected to the Presidency.

In these circumstances, the South not unnaturally concluded that, if conflict were indeed 'irrepressible,' it had better come at once; and, immediately after Mr. Lincoln's election, the Legislature of South Carolina summoned a convention of its people to consider the relations of the commonwealth with the Northern States and with the Federal Government. The convention, at once, decided on secession; but, in arriving at the momentous decision, it had no desire to appeal to the sword. The convention was, in fact, reaffirming the

The convention of South Carolina.

[1] Rhodes, *Hist. of the United States*, vol. ii. p. 407.

old doctrine of popular sovereignty; was claiming that each State, being sovereign, had the right to control its own destiny; and that Congress had no power to refuse it permission to leave a Union which it had entered of its own accord. Thus it happened that, while at the root of the controversy lay the eternal question of slavery, the immediate issue on which the struggle was destined to take place was the constitutional right of individual States to withdraw, at their own will, from a Union which they had voluntarily joined. The South gladly chose this issue because there was nothing in it to divert the sympathies of Europe from its cause; but the North equally readily accepted it, because its people were not unanimous in desiring to abolish slavery, but were unanimous in their determination to maintain the unity of the great republic.

The issue, which was thus raised, was not one which could be settled by an appeal to the Constitution. 'Whether the Constitution was a compact,' so writes Mr. Goldwin Smith, 'as parties to which the States retained their independent existence, or an incorporating Union, in which the independent position of the States was merged, was a question left by the framers to settle itself, and which was ultimately decided by the sword.'[1] But it was an issue on which men in the Northern States were all agreed that only one solution was tolerable. 'Liberty and Union, now and for ever, one and inseparable,'[2] were words which, originally uttered by Mr. Webster, had remained engraven on the hearts of the people. The passion for union, which inspired Italy in 1859, which brought Prussia to Sadowa in 1866, and Germany to Paris in 1870, was the dominating influence in the Northern States at the commencement of the great Civil War.

It was the misfortune of the North that, in the

[1] Goldwin Smith, *The United States*, p. 123. [2] *Ibid.*, p. 182.

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The inaction of the Federal Government.

months which immediately preceded the struggle, its leaders made no adequate preparations for the war, which was plainly looming on the horizon. From November to March, Mr. Buchanan remained President, and responsible; and Mr. Buchanan, sympathising with the South, shrank from extreme measures of coercion. Even when Mr. Lincoln assumed the reins of office in March 1861, time was necessarily required both for initiating and maturing a policy. In these precious months, in which the South, intent on secession, was preparing to meet every contingency, the Federal Government was making no preparations; it was even neglecting the ordinary precaution of protecting its own establishments and enforcing its own rights in the Southern States.

The harbour of Charleston, the capital of South Carolina, is protected by some forts, of which Fort Moultrie is on the north, and Fort Sumter on a small island in the centre of the channel. At the end of 1860, Fort Moultrie was occupied by a small garrison of Federal troops under the command of Major Anderson, who had been instructed to avoid 'every act which would needlessly tend to provoke aggression,' but to defend himself, if attacked, to the last extremity.[1] He had been authorised, whenever he had tangible evidence of a design to proceed to a hostile act, to place his force in whichever fort seemed more defensible. As threats were made that Fort Moultrie would be seized, Anderson, believing it to be untenable, decided on transferring his command to Fort Sumter.[2] The newly constituted authorities of South Carolina remonstrated, and themselves occupied Fort Moultrie. Thus, at the beginning of 1861, acts perilously near to those of war had been committed on both sides. The North had executed a strategic movement which had no reason except the pro-

[1] Rhodes, *Hist. of the United States*, vol. iii. p. 185. [2] *Ibid.*, p. 217.

bability of war to justify it.[1] The South had retaliated with measures hardly justifiable unless a state of war had actually arisen.

South Carolina, having committed itself by its action, lost no time in preparing for the struggle which was at any rate possible. Mr. Buchanan, on the contrary, determined at all costs to do nothing to provoke a collision, refused even to send Major Anderson the moderate reinforcements of which he was in obvious need.[2] Persuaded at last to do so, he despatched some troops to Charleston at the beginning of January in a fast steamer; but the vessel, the Star of the West, was fired on by a Southern battery, and forced to return to New York without fulfilling her mission.[3]

The capture of Fort Sumter.

Such an incident might have convinced the most shortsighted of statesmen that the time was come for stronger measures. If war had not actually broken out, a state of things indistinguishable from war had assuredly arisen. But, though the example of South Carolina in seceding was followed by other Southern States, though Mr. Jefferson Davis was formally chosen as president of the new confederacy, Mr. Buchanan still clung to the hope of compromise. Major Anderson, left to his own resources, found that he had neither food nor ammunition to stand a siege. The South decided on anticipating the arrival of any reinforcements by attacking the fort, and after a sharp contest, protracted over thirty-four hours, Major Anderson was forced to haul down his flag on the 13th of April. His surrender precipitated the war, which was already inevitable. Two days afterwards, Mr. Lincoln, who had now assumed the reins of government, published a proclamation calling for 75,000 men; and two days

The war begins.

[1] Rhodes, *Hist. of the United States*, vol. iii. p. 229.
[2] *Ibid.*, p. 189. [3] *Ibid.*, p. 246.

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later still, Mr. Davis replied by issuing invitations for letters of marque. On the 19th, Mr. Lincoln rejoined by proclaiming the blockade of the Southern ports.[1]

Such was the beginning of the great contest which, with varying fortune, was destined to rage for exactly four years, and which involved an expenditure of blood and treasure which has had no parallel in the history of the world.[2] However necessary it may have seemed to trace the origin of the contest, it is impossible in this history to follow the incidents of each campaign.[3] Here it is more appropriate to dwell on the effects of the war on the trade and politics of Western Europe, and especially of this country.

Its effects on Great Britain.

It must be recollected that the war entailed huge suffering on many classes and many districts in Great Britain. More than three-fifths of the whole foreign trade of the United States was in British hands:[4] the most important industry in England was dependent on American cotton. The failure of the supply entailed the cotton famine, and inflicted suffering so widespread and so acute that it excited the commiseration of the Americans themselves. The needs of England were, in fact, so great that, in the Southern States, no doubt was felt that Great Britain would be forced to break the blockade. 'There's the key,' said a Charleston merchant, pointing to some bales of cotton, 'which will open all our ports.' Cotton, so it was argued, was king; and King Cotton would determine the policy of Great Britain.[5]

[1] Rhodes, *History of the United States*, vol. iii. p. 364. The proclamation will be found in *Parl. Papers*, 1862, vol. lxii. pp. 19, 24.

[2] 'It is reckoned that, between battle and disease, a million of men lost their lives or were crippled in the war.' Goldwin Smith, *The United States*, pp. 291, 292.

[3] The literature of the Civil War is voluminous. The student, however, who wishes to read a comparatively short but sufficient account of the operations, will find it in *The Cambridge Modern History*, vol. vii. chap. xiv-xvi. These chapters are the work of the late Mr. T. G. Nicolay, the joint author with Mr. John Hay of *The Life of Lincoln*.

[4] Bernard, *The Neutrality of Great Britain during the American Civil War*, p. 122.

[5] Rhodes, *Hist. of the United*

The cotton famine.

Such a conclusion was natural enough. In 1860 there were some 2,650 cotton factories in this country, consuming 1,100,000,000 lbs. of cotton, and employing 440,000 persons, whose wages amounted to 11,500,000*l.* a year. The annual produce of these factories was valued at 76,000,000*l.*, or at 6,000,000*l.* more than the entire revenue of the United Kingdom.[1] Nearly the whole of the cotton—more than eleven pounds out of every fourteen—which was required to feed this mighty industry, was grown in, and came from, the Southern States.

In 1860 the trade was suffering from the super-abundant energy of the manufacturing community. Production had outstripped the demand; and vast quantities of cotton goods, for which it was difficult or impossible to find a purchaser, encumbered the markets of the world. If civil war[2] had not broken out in America, the glut in the produce must have led sooner or later to the closing or partial closing of many mills. Thus the war only precipitated a crisis which could not, in any case, have been altogether averted. But it did much more: it saved many manufacturers from the ruin which seemed likely to fall upon them. The men who had large stocks of cotton in hand, and who were anticipating a fall, suddenly found that the restriction of the supply was involving a rise in prices. These men made large and unexpected profits. The value of the produce which they had at their disposal was raised almost in a moment by many millions.[3]

The first effects of the rise in the price of cotton.

*States*, vol. iii. p. 416; and cf. *Parl. Papers*, 1862, vol. lxii. p. 5.

[1] Arnold's *Hist. of the Cotton Famine*, p. 37. Mr. Potter in the House of Commons said that there were 600,000 persons employed, who received between 15,000,000*l.* and 16,000,000*l.* a year in wages, and whose productions were valued at 80,000,000*l.* *Hansard*, vol. clxvi. pp. 1494, 1495. I have purposely used the more moderate figures in the text.

[2] *Ibid.*, p. 80.

[3] Mr. Arnold estimates these increased profits at no less than 35,000,000*l.*, p. 83.

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Thus the manufacturer, who had large stocks of cotton to dispose of, and who chose to close his mill, had little or no cause to regret the outbreak of the Civil War. To do the manufacturers justice, however, few of them showed any disposition to take their profits and discharge their workpeople. On the contrary, most of those who were able to do so, did their utmost to keep their mills open, or partly open. And the position of these men was very critical; for, while the failure of the supply led to a rapid rise in the price of raw cotton, the glutted condition of the markets prevented a corresponding increase in the value of the manufactured article. The manufacturer who kept his mills open had to pay 150 per cent. more for his raw material, and could only obtain a 50 per cent. increase on the goods which he turned out.[1] This state of things naturally consumed much of the profits which he derived from selling his accumulated stocks. The smaller manufacturer, who had no large stocks, or no reserve of capital, was unable to go on working at all.

Other classes in the community gained something from the paralysis which had fallen on the cotton industry. The woollen looms of Yorkshire, the flax mills of Belfast, were stimulated to fresh activity by the rise in the price of cotton. India, which had been unable to compete with Manchester, recovered some of her old manufactures through the distress of Lancashire. The midland counties and the shipping ports moreover found themselves busily complying with the demands of the belligerents, who were purchasing arms, and, in defiance of the law, building ships, on the neutral soil of England. From a broad commercial standpoint, therefore, it was possible to argue that Great Britain as a whole received many compensations for the paralysis of her cotton industry. The years of cotton

[1] Arnold's *Hist. of the Cotton Famine*, p. 171.

famine were years of great suffering in Lancashire; but they were years also of great prosperity for the country generally. CHAP. VIII. 1860–64.

The incidental advantages, however, were soon overlooked in the general appreciation that a great disaster had fallen on the most numerous section of the manufacturing population. In the autumn of 1861 many mills were closed. Before the first six months of 1862 were concluded, tens of thousands of hands were thrown out of employment; the small tradesmen, who supplied the operatives, were ruined from the failure of their business; and, at the end of the year, half a million persons in the cotton districts were in receipt of relief, either from the guardians of the poor or from charitable funds. More than 270,000 persons in these districts were supported by the rates; and this number represented an addition of more than 210,000 to the ordinary roll of paupers. That roll had increased by 372 per cent.; the ratio of pauperism to the population had risen from 2·9 to 13·7 per cent.[1] The distress in the north of England.

In the past, a few persons had pointed out the danger of relying on only one source for the supply of the raw material on which the chief manufacturing industry of the country was dependent. When the crisis came, official men, like Lord Palmerston, drove home the arguments which private men, like Mr. Bright, had previously used, and urged that every effort should be made to open new sources of supply in China, Africa, and elsewhere.[2] Under the stimulus of higher prices, great and not unsuccessful exertions were made to fill the void, created by war in the West, with the productions of the East; and, as a matter of fact, in the few

[1] Arnold, *Hist. of the Cotton Famine*, pp. 297, 298.

[2] For Mr. Bright's warnings, Mr. Barnett Smith's *Life*, vol. ii. p. 86; for Lord Palmerston's, *Life of Lord Palmerston*, vol. v. p. 210; for an important debate on the subject in the House of Commons, *Hansard*, vol. clxvii. pp. 754–793.

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years which succeeded the outbreak of the war, India became the chief source of our supplies. But manufacturers and operatives both disliked the new fibre. Indian cotton, they complained, was 'short in staple and harsh in quality.' The operative 'who lifted up his voice in chapel, and added to his pastor's prayer for increased supplies of cotton, the rider, "O Lord, but not Surats," spoke the sentiments of both masters and hands.'[1] He understood the situation much better than the historian who recorded the prayer, but who added in another passage that India will establish a firm and abiding place among the cotton-exporting countries of the world;[2] for while, in consequence of the war, the importation of Indian cotton was temporarily increased from some 200,000,000 lbs. to more than 600,000,000 lbs. a year, since the war it has gradually shrunk to some 30,000,000 lbs. The United States have regained the predominant position which they occupied before the outbreak of hostilities; and their only formidable competitor is found in Egypt, which under settled government and with the advantage of British capital is steadily increasing its output.[3]

Official action in relieving distress.

If men, however, were busying themselves with searching for fresh sources of supply, they were conscious that the calamity of famine had cast a more pressing and immediate duty upon them. Before the close of 1861, Mr. Villiers, who filled the office of President of the Poor Law Board, sent a circular to the various boards of guardians in the affected districts, explaining to them the machinery which was available for the occasion, and promising his assistance in the discharge

[1] Arnold's *Hist. of the Cotton Famine*, p. 165.

[2] *Ibid.*, p. 329.

[3] In 1860 the imports were: From the United States, 1,115,890,608 lbs.; from India, 204,141,168 lbs.; from Egypt, 43,954,064 lbs. In 1899 the figures were: From the United States, 1,233,958,880 lbs.; from India, 30,943,360 lbs.; from Egypt, 342,816,992 lbs.

of their duties.[1] In the summer of 1862 he despatched a competent commissioner, Mr. Farnall, to Lancashire, to inquire into the extent of the calamity, and to devise the best means of dealing with it; and, as the Session advanced, he introduced a measure enabling the more distressed districts to obtain external help in the hour of their calamity. The Bill suffered much amendment in its passage through Parliament; but its underlying principle—the principle of the poor law—that each locality should provide for its own poor, was maintained. When, however, the necessities of a parish were very great, when, as it was ultimately decided, the expenditure on poor relief exceeded the produce of a 3*s.* rate, the guardians of the poor were directed to charge the excess to the other parishes of the union; when the charge on the union exceeded the produce of a 3*s.* rate, the guardians were authorised, with the sanction of the Poor Law Board, to spread the relief over a series of years by borrowing money; when the charge exceeded the produce of a 5*s.* rate, the excess was to be thrown on the county.[2]

Debates in Parliament.

The continuance of the catastrophe, however, convinced some men on either side of the House that more heroic measures than the passing of the Union Relief Act in 1862, and its continuance in 1863, would ultimately be necessary. Mr. Ferrand, a politician who, in other times, had gained distinction by his advocacy of the Ten Hours Bill, asked the House,[3] in April 1863, to affirm that it was the duty of the Government to consider what measures were necessary, to 'relieve

[1] Arnold's *Hist. of the Cotton Famine*, p. 87.

[2] The Union Relief Aid Act 1862 is the 25 & 26 Vict., cap. 110. Important debates on the distress in the manufacturing districts will be found in *Hansard*, vol. clxvi. pp. 1490 and 1532. Mr. Villiers's speech in introducing his Bill, *ibid.* vol. clxviii. p. 682. The various debates on the Bill are scattered through the rest of the volume.

[3] *Ibid*, vol. clxx. pp. 776–803. For Mr. Ferrand, Arnold's *Hist. of the Cotton Famine*, p. 425.

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the distress in the manufacturing districts, so that the people may no longer continue unemployed.' In introducing his motion, Mr. Ferrand preferred a long indictment against the abuses which, he thought, permeated the factory system, and hinted, rather than argued, that the true remedy for the crisis was the removal of a congested population to places where they could be absorbed in more profitable and more healthy industries. Mr. Potter, the member for Carlisle, on the contrary, suggested that work might temporarily be found for the operatives in the neighbourhood of their own homes, and moved that a Royal Commission should be appointed to consider and report upon the best measures of relief.[1] Mr. Villiers, whose successful administration of his office had gained him general confidence, instead of taking the advice of either counsellor, decided on sending a gentleman of experience into the cotton districts to ascertain what public works might be instantly entered upon.[2] His proposal, supported by Colonel Wilson-Patten,[3] whose long services as member for Lancashire made him the spokesman of the county, was adopted; and Mr. Rawlinson, an engineer of experience, who had the additional qualification that he was a Lancashire man by birth, was selected for the inquiry. By his advice, the local authorities were encouraged to undertake certain works of public utility, such as drainage, paving, road-making, and the construction of parks and pleasure grounds. The necessary powers were conferred on them by Parliament; and the Public Works Loan Commissioners were authorised to lend them a sum of 1,500,000*l.* for the purpose.[4]

[1] Arnold's *Hist. of the Cotton Famine*, p. 803.

[2] *Ibid.*, p. 821.

[3] *Hansard*, vol. clxx. p. 822. Arnold's *Hist. of the Cotton Famine*, p. 428.

[4] *Ibid.*, p. 454. The Public Works Manufacturing Districts Act (26 & 27 Vict., cap. 70) is reprinted, *ibid.*, p. 534; see also Mr. Rawlinson's very interesting report on its successful working, *ibid.*, p. 559.

The public efforts which were thus made to mitigate the effects of the disaster were nobly seconded by voluntary exertion. Nearly 2,000,000*l.*[1] were subscribed to support the operatives in the hour of their trial. Subscriptions flowed in from every portion of the Empire and from every part of the world. The foremost men in Lancashire devoted their time to the successful administration of the vast fund which was placed at their disposal. The Central Executive Committee, on whom the chief burden fell, had as its president the ex-Prime Minister, Lord Derby, and as its honorary secretary Mr. John W. Maclure. On none of the three occasions on which he was charged with the first place in the Government of this country, did Lord Derby do harder work, or render truer service, than on this committee. His voice was the most eloquent expression of the needs of the suffering operators; he stimulated, by the generosity of his own subscription, the liberality of the public; and he worked at his self-imposed task with a constancy and an earnestness which would have done credit to a younger and a stronger man.

The relief committees.

If the people as a whole did their duty in the crisis, the operatives themselves behaved in a manner which deserved praise. Except for a rather serious riot at Staleybridge, and some disturbances at Preston, the districts which were the scene of such suffering remained peaceable and orderly throughout the months of trial. The operatives seemed to realise that the misfortunes were due to causes which the ruling classes could not control, and that the wealthier part of the nation was

The behaviour of the operatives.

For the more important debates on Mr. Rawlinson's proposal, cf. *Hansard*, vol. clxxi. pp. 1050 and 1490. An attempt was made by Mr. Ferrand, *ibid.*, p. 1071, and subsequently by Mr. Childers, to divert the fund to emigration, *ibid.*, vol. clxxii. p. 749. The official reports on the cotton famine will be found in *Parl. Papers*, 1862, vol. xlix.; 1863, vol. lii.; 1864, vol. lii.; 1865, vol. xlviii.; and 1866, vol. lxi.

[1] Cf. Arnold, *Hist. of the Cotton Famine*, p. 493, and Col. Wilson Patten's speech in *Hansard*, vol. clxx. p. 823.

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doing much to relieve them in their misfortunes. Happily, too, though the crisis continued acute, its severity was a little lessened after the spring of 1863. The stocks of unmanufactured goods were slowly absorbed; the supplies of raw cotton were gradually increased; the pressure of pauperism was steadily diminished by the growing demand for labour; and the manufacturing districts ultimately resumed the appearance of prosperity which they had worn before 1860.[1]

In the record of a disaster, attention is naturally directed to the prevalent suffering; but it should not be forgotten that even the cotton famine was attended with some advantages. It did something to bridge the gulf which unfortunately separated class from class in manufacturing England. When famine first occurred, two nations confronted one another in Lancashire, almost as distinct in ideas and aspirations as in the days when Mr. Disraeli had selected a second title for 'Sybil.' The two nations began to understand one another a little better during the years of misfortune. The rich learned to appreciate the sturdy qualities of their poorer neighbours; the poor learned to value the work which their wealthier fellow-citizens were doing for them; and a kindlier feeling was, in consequence, established between class and class.

The cotton famine—perhaps the most signal calamity which has ever fallen on manufacturing England—was the direct and almost immediate result of civil war in America. It would not have been surprising if it had produced a demand for the intervention of England in the struggle, or if King Cotton—as the Charleston merchant had expected—had supplied the

[1] The imports of cotton fell from 1,390,938,752 lbs. in 1860 to 523,973,296 lbs. (only 309,000,000 of which were retained for home consumption) in 1862. In the next four years the imports gradually recovered to rather more than 1,377,000,000 lbs., or to almost precisely the quantity at which they had stood before the war.

The conduct of Great Britain during the war.

key which had opened the Southern ports. Happily, however, the good sense of the nation as a whole prevented an intervention which it would have been difficult for history on one side to justify, and posterity on the other side to forget; and the policy of this country, though occasionally open to criticism, was based throughout the war on a firm and consistent neutrality.

Neutrality, it should be recollected, was not an easy policy for any Government to pursue. In the upper classes of society, feeling was generally enlisted in favour of the South. The Confederates were struggling —so men thought—for the right to carry on their own concerns in their own way; and they were conducting the struggle with a skill and a courage which, even at this distant time, command respect and excite admiration. The Federal Government of the North had not been conspicuous in the past for any friendly consideration for this country; its leading representatives, in the beginning of the Civil War, adopted a tone, in speaking of Great Britain, which was not calculated to conciliate a proud and sensitive people; and many Englishmen, in and out of Parliament, were disposed to consider that the great and growing republic of the western hemisphere was becoming too large and too powerful, and that the interests both of Europe and of Great Britain would be best served by its disruption. The language of Mr. Seward, the Secretary of State in Mr. Lincoln's Cabinet, furnished some justification of this feeling. Imperfectly realising the greatness of the struggle in which his Government was embarked, he wrote despatches to the American Minister in London, threatening England with war if she acknowledged the Confederate States, or if she recognised their privateers as belligerents.[1]

[1] Rhodes, *Hist. of the United States*, vol. iii. p. 423. Mr. Seward had told the Duke of Newcastle, on the occasion of his visit to the

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If a less discreet man than Mr. Adams had filled the American Embassy in London, the flames which had burst out in Charleston might have been wafted across the Atlantic, and the North might have found herself involved in war, not merely with the Confederate States, but with the Western powers of Europe.

Happily for the North, and still more happily for the future of the Anglo-Saxon race, the British Cabinet did not suffer itself to be disturbed by the despatches which Mr. Seward was writing to Mr. Adams. It addressed itself to the problems which lay before it, without paying much heed to Mr. Seward's threats. Foremost among these problems was the critical question, how far it should recognise the existence of the Confederacy which Mr. Jefferson Davis was calling into being. News of the fall of Fort Sumter reached the Foreign Office on the 30th of April, 1861.[1] On the 10th of May, Lord John Russell knew that the Southern Confederacy had resolved on issuing letters of marque and that Mr. Lincoln had retaliated by proclaiming the blockade of the Southern ports. With this information before him, he obtained the authority of the Cabinet for the issue of a proclamation enjoining neutrality on her Majesty's subjects, and recognising the Confederate States as belligerents.[2] The North regarded this action as unfriendly, or at any rate, as premature.[3] And as,

The proclamation of neutrality.

United States with the Prince of Wales in 1860, that it was his intention to insult England when he had the opportunity of doing so. Mr. Adams, in relating the incident, adds that the remark was made after dinner, and that Mr. Seward was in the habit of indulging rather freely at dinner. *Life of C. F. Adams*, pp. 165, 166. Such remarks, however, even when made after dinner, do not tend to a good understanding.

[1] *Parl. Papers*, 1862, vol. lxviii. p. 19.

[2] *Ibid.*, p. 27.

[3] Mr. Adams's word is 'precipitate.' *Ibid.*, p. 34. Mr. Bright was of opinion that Lord John Russell should have waited for the arrival of Mr. Adams, who had just been appointed to represent the United States in London, before issuing the proclamation (*Hansard*, vol. clxxvii. p. 1621); and, as Lord John had informed Mr. Dallas (Mr. Adams's predecessor) that 'the coming of Mr. Adams would doubtless be regarded as the appropriate occasion for finally discussing and determining'

on the 31st of June, Lord John, in writing to the Admiralty, spoke of the contest as one which appeared to be imminent, it is possible that the issue of the proclamation might have been postponed for a few days. But this is the very utmost which it is possible to admit; and it is doubtful whether, with the information before the Administration, even this short delay would have been justifiable. For the action of the President had virtually forced the hands of the British Ministry. His proclamation, announcing the blockade of the Southern ports, necessitated the issue of some words of warning to British subjects, and it was difficult to issue any such warning without recognising the belligerent rights of the South. As Lord John Russell said in the House of Commons, 'A power or a community (call it which you will) which [is] at war with another, and which [covers] the sea with its cruisers, must either be acknowledged as a belligerent, or dealt with as a pirate.'[1] It was the opinion, indeed, of the Lord Chancellor that the British Government had only one course to pursue: 'to regard the blockade as the exercise of a belligerent right; and as belligerent rights cannot be confined to one party, but are necessarily exercised against somebody else, to recognise the existence of belligerent rights on the part of both the combatants, and to declare her Majesty's neutrality between them.'[2] In a speech which was by no means

the attitude to be taken by Great Britain (*Life of C. F. Adams*, p. 158), he had himself encouraged the belief that nothing would be done till after Mr. Adams's arrival. It is fair, however, to add, that the issue of President Lincoln's proclamation and the retaliatory action of the Confederate Government had entirely altered the situation in which the promise had been given.

[1] *Hansard*, vol. clxii. p. 1566. There are some interesting debates on the blockade of the Southern ports, *ibid.* vol. clxv. See especially pp. 1158–1230 and 1233–1243, and Sir R. Palmer's (the Solicitor-General) speech, *ibid.*, p. 1209. Lord R. Cecil (afterwards Lord Salisbury) declared in these debates that the North could never be our sure friends. *Ibid.*, p. 1229. For a calm commentary on Lord John Russell's action, Bernard, *Neutrality of Great Britain*, pp. 122 *seq.*

[2] *Ibid.*, vol. clxxviii. p. 70.

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unfavourable to the Federal cause, Lord Westbury said afterwards in 1868: 'Mr. Seward issued a proclamation of blockade, and by that proclamation necessarily placed the Confederate States in the position of belligerents, and all the other countries in the world in a position of neutrality.'[1] No doubt it would have been an advantage to the North if the Southern cruisers could have been treated at the outset as pirates and not as privateers; but neither the opinion of the civilised world nor the exigencies of the war would have made such a course practicable. 'By the 4th of July [indeed] it became apparent to the Americans themselves that prisoners taken in battle must be exchanged, and the war, in other respects, conducted on the same principles as war with a foreign nation.' The utmost, therefore, that can be said against Lord John Russell and his colleagues is, that he had anticipated on the 15th of May a decision at which the North itself arrived on the 4th of July.[2]

The affair of the Trent.

Thus, on this preliminary question, on which the first difference arose between the two countries, it is difficult to see how the British Government could have taken other action than that on which it resolved. But in the same year, in which this preliminary difference occurred, a much more serious incident disturbed the friendly relations of the two peoples. The Confederate Government decided on sending two of its citizens, Messrs. Mason and Slidell, to Europe, to plead its cause at the Courts of London and Paris. The men who were selected for the position were strong advocates of the extreme views of the South. Mr. Mason had been the

[1] *Hansard*, vol. cxci. p. 348.

[2] Rhodes, *Hist. of the United States*, vol. iii. pp. 418, 428. For the purpose of the argument in the text, I have used Mr. Rhodes's dates; but, from the very first, the North refrained from treating its prisoners as rebels; and Lord J. Russell used the argument in the text to Mr. Adams on the 21st of June. See *Parl. Papers*, 1862, vol. lxviii. p. 42. Cf. also the remarkable dictum of an American judge (Dunlop) given in the District Court of Columbia on the 19th of June, which supports Lord John Russell's view. *Ibid.*, p. 50.

author of the Fugitive Slave Law; Mr. Slidell had been the champion of filibustering; and the 'Times,' writing after their liberation, declared that 'they were about the most worthless booty it was possible to extract from the jaws of the American lion.'[1] Messrs. Mason and Slidell, however, had been members of the Senate of the United States; they were men of position and influence, and they were likely to speak with more weight than the gentlemen who had previously represented the Confederate States at St. James's.[2] The new envoys embarked on a small steamer at Charleston, ran the blockade, and arrived safely at Cuba. There they took their passage on board a British mail steamer, the Trent, which was bound for England. On the day after she left Cuba, the Trent was stopped by an American man-of-war, whose commander, Captain Wilkes, sent an armed force on board the packet, and arrested Messrs. Mason and Slidell and their two secretaries.[3] When the news of their arrest reached the

[1] *Times*, 11th of January, 1862. Sir R. Phillimore, on the contrary, writes: 'Mason fascinated me. His fine head, large eyes, excellent manners, perfect English, and clear vigorous understanding, made a deep impression. His political opinions are much those of a well-educated English peer.' *Diary*, 1st of July, 1864.

[2] These gentlemen, Messrs. Yancey Rost and Mann, introduced themselves to Lord Russell on the 14th of August, 1861. They addressed to him an elaborate protest on the ineffective nature of the blockade. On the 30th of November, Lord Russell curtly replied, declining to hold any communication with them. *Parl. Papers relating to America*, 1862, vol. lxviii. pp. 63, 70, 105, and 111.

[3] See Capt. Williams's report, *ibid.*, pt. 5, pp. 1 and 2. It is worth mentioning that, in 1780, Henry Laurens, who had been President of Congress of the revolted colonies, was sent on a mission to the Hague; and that the American packet in which he sailed was captured by an English cruiser off Newfoundland. Laurens was brought to London and thrown into the Tower. Cf. Lecky's *Hist. of England*, vol. iv. p. 161, with the fuller account in Stanhope's *Hist. of England*, vol. vii. pp. 80, 81. Without attempting to defend the treatment of Laurens, which seemed to many of our ancestors unnecessarily harsh, it is clear that there was a broad distinction between the two cases; for Mr. Laurens was taken on an American ship, and, under international law, the capture of an ambassador on hostile soil is justifiable; while Messrs. Mason and Slidell were taken from an English ship, and there is no power to seize an envoy on neutral territory. Captain Wilkes, too, went out of his way to offend against international law. A belligerent cruiser is entitled to stop a neutral vessel suspected to contain contraband of war; but he is bound to bring her at once into port in order that a duly constituted

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States, it was received with a thrill of pleasure. The Secretary to the Navy formally congratulated Captain Wilkes; the city of Boston entertained him at a public dinner; the House of Representatives of Massachusetts accorded to him a vote of thanks;[1] and, when he entered the theatre at New York, 'the whole audience rose, as they might have done on the entrance of a great liberator of his country.'[2] People seemed to imagine, with one of the generals of the United States army, that war with England would create the enthusiasm which war with the South had failed to excite, and kindle the spirit without which victory is impossible.[3]

In England, the arrest was regarded as an outrage. The Cabinet, meeting at once, declared that the occurrence was 'an act of violence, which was an affront to the British flag and a violation of international law.'[4] It decided that it could not allow such an affront to the national honour to pass without full reparation, and, unfavourable as the season was for the movement of troops, it reinforced the garrison of Canada with a little army of from 14,000 to 15,000 men.[5]

Those who are familiar with the history of mankind, and know how difficult it is for great and high-spirited nations to withdraw from positions which they have taken up, or to recede from demands which they have

court may adjudicate on the seizure. A belligerent has no right to take the contraband goods out of the vessel.

[1] Rhodes, *Hist. of the United States*, vol. iii. p. 521.

[2] Lord Palmerston's words in *Hansard*, vol. clxv. p. 391.

[3] Rhodes, *Hist. of the United States*, vol. iii. p. 522, *note*.

[4] Lord Russell's despatch in *Parl. Papers*, 1862, vol. lxviii. pt. v. p. 2. Mr. Rhodes, following the *Times* of the 29th of November, declares that the Cabinet decided that the act of Captain Wilkes was 'a clear violation of the law of nations, and one for which reparation must at once be demanded.' *Hist. of the United States*, vol. iii. p. 525. I have preferred to follow the words of the despatch. Americans now condemn Captain Wilkes's action quite as strongly as Englishmen. Mr. Adams writes: 'It is questionable whether in modern times any naval officer has ever been guilty of a more ill-considered and thoroughly unjustifiable proceeding.' *Life of Adams*, p. 211.

[5] The exact number of the troops despatched was given in a debate on the navy estimates (supplementary), *Hansard*, vol. clxv. p. 396.

formulated, will be the first to acknowledge how perilously close to war the two representative peoples of the Anglo-Saxon race had by this time drifted. Fortunately, while the passions of the multitude were excited, the judgment of two men of high station remained cool; for, on one side of the Atlantic, Mr. Lincoln had, from the first, the wisdom to see that Captain Wilkes's action could not be justified;[1] and, on the other side, the Prince Consort had the discretion to recommend that the despatch which the Government had drawn up should be modified by the expression of a hope and a belief that Captain Wilkes's act was neither directed nor approved by the Government of the United States.[2]

The Prince Consort's interference has a special interest, because the alteration which he suggested in the despatch, constituted the last—as it formed perhaps the most important—service which he rendered to this country and the Anglo-Saxon race. At the time at which he made the suggestion, he was already ill; before its effect was known, his life had ebbed away, and he had died, a victim to the fever which is almost the creation of the nineteenth century, and to which he and his race have shown themselves peculiarly susceptible.

His wise counsel, given almost on his death-bed, was happily the means of averting war. The American Government gave up their prisoners; their conduct in doing so was accepted as a sufficient apology; and the incident, which had threatened war, was happily closed. Yet, unfortunately, though reparation was made, the wound, which the making of it caused, continued to rankle.

The prisoners restored.

[1] *Hansard*, vol. clxv. p. 522. Cf. on the whole story, Lord Selborne, *Family and Personal Memorials*, vol. ii. p. 389 *seq.*

[2] *Life of Prince Consort*, vol. v. p. 422. It ought to be added that Lord Lyons, on his own responsibility, extended by twelve hours the time allowed to the Government of the United States to give their reply. Sir E. Malet, *Shifting Scenes*, p. 29.

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We give the critturs back, John,
'Cos Abram thought 'twas right;
It warn't your bullyin' clack, John,
Provoking us to fight.

So sang Lowell, in the poem which begins—

It doesn't seem hardly right, John,
When both my hands was full,
To stump me to a fight, John,
Your cousin, tu, John Bull.

And undoubtedly Americans at the time thought that the demand was made with harsh insistence, and that it was enforced by unnecessary preparations for war. The same view was stated in this country by Mr. Bright.[1] But even an American would hesitate to adopt it to-day. Every fair-minded American, indeed, sees that the reception which had been accorded to Captain Wilkes, the thanks which had been given to him by a Cabinet Minister, justified the action which Lord Palmerston's Ministry felt constrained to take in consequence of the arrest of Messrs. Slidell and Mason.

The feeling of resentment towards this country was not unnatural. The South, with no manufacturing capacity of its own, was driven to purchase both its cruisers and its warlike stores abroad; and English manufacturers were perhaps only too glad to promote their own business, and at the same time assist a cause which commanded the warm sympathy of many Englishmen, by selling them what they required. In the poem which has just been quoted, Mr. Lowell complained—

You wonder why we're hot, John?
Your mark wuz on the guns,
The neutral guns, thet shot, John,
Our brothers an' our sons.

The case of the Florida.

And it was not only guns with which English manufacturers were supplying the Confederates; they

[1] *Hansard*, vol. clxv. p. 380.

were providing them simultaneously with armed cruisers. In March 1862, the Florida—or the Oreto, as she was originally called—was built at Liverpool for the service of the Confederate Government, was suffered to sail for the Bahamas, and, though she was arrested at Nassau, was released by the Admiralty Court before which she was brought. It is usually safe to assume that the finding of a court should be respected until it has been reversed; but the decision of the Admiralty Court of the Bahamas can hardly be defended on this ground; for it was condemned at Geneva by Sir Alexander Cockburn,[1] an authority whose elaborate judgment on the whole case submitted to arbitration was certainly not tainted by any unfriendly disposition to this country.[2]

The case of the Florida.

The case of the Florida, however, is forgotten in the more important case which immediately followed it. In June 1862, Mr. Adams, the American Minister in London, drew Lord Russell's attention to a vessel, which was being constructed by Messrs. Laird on the Mersey, which, he alleged, was obviously and notoriously intended for service in the Confederate cause, and which was nearing completion. Lord Russell, at once, referred the papers to the Commissioners of Customs, who, after a week's delay,—during which inquiries were being made at Liverpool—reported the opinion of their solicitor that there was at present no sufficient ground to warrant the detention of the vessel. This opinion was communicated by Lord Russell to the American

[1] *Parl. Papers relating to North America*, Session 1873, vol. lxxv. pt. ii. p. 140. The opinions of the other arbitrators in the case of the Florida will be found in the same paper, pt. i. pp. 18–34.

[2] It must, however, be recollected that though few people would now hold that the finding of the Admiralty Court of the Bahamas was right, the decision of a duly constituted court was one which the British Government was bound to respect. See Sir R. Palmer's argument at Geneva, *Parl. Papers*, 1873, vol. lxxiv. p. 63, and especially p. 91. It is fair to add, and Mr. Lowell would have been fairer if he had remembered, that the North itself purchased immense stores of ammunition in this country during the war.

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Minister, who, on the 22nd of July—dates now become of serious importance in the story—furnished Lord Russell with some additional information respecting the character of the vessel; supplementing it, on the 24th, with an opinion of an eminent counsel—Mr. Collier, well known afterwards as a law officer and a judge—that it was the duty of the collector of customs at Liverpool to detain the vessel; that, if the Foreign Enlistment Act were not enforced on this occasion, it would be little better than a dead letter; and that it deserved consideration whether, if the ship were allowed to escape, the Federal Government would not have serious grounds for remonstrance.[1]

Mr. Adams's despatch, though dated the 24th, only reached Lord Russell on Saturday, the 26th of July. It was at once referred to the law officers. At that time, it was the custom to send papers of this kind to the Queen's Advocate. Sir John Hardinge, who held this position in 1862, happened to be seized with a distressing malady, and the paper lay at his house from the Saturday to the following Monday evening. On the Monday evening, it was at last considered by the law officers, who advised the detention of the vessel. But, while these leisurely proceedings had been in progress, the bird had spread her wings and flown. Early in the morning of the 29th, the vessel No. 290, as she had previously been called, left the Mersey, ostensibly on a trial trip, and almost immediately began the career of destruction which made her famous as the Alabama.[2]

American writers urge with some force that, in the circumstances which have thus been stated, the Alabama should not have been allowed to sail; but it

[1] *Parl. Papers*, Session 1863, vol. lxxii. No. 3, p. 9.

[2] *Life of Lord J. Russell*, vol. ii. p. 364. The decision of the arbitrators in the Alabama case is in *Parl. Papers*, 1873, vol. lxxiv. pt. ii. p. 35 *seq.* For the whole story, cf. Lord Selborne's *Family and Personal Memorials*, vol. ii. p. 420 *seq.*

is fair to recollect that the right course for a neutral nation to pursue was not so clear in 1862 as it is now. The United States themselves had set a precedent in the case of the Independencia, a vessel which had left Baltimore for Buenos Ayres in 1822, armed with twelve guns, and loaded with munitions of war; and this case went a long way to justify the negligence of the British Foreign Office; for Judge Story, whose dicta on international war command respect on both sides of the Atlantic, had said:

'The question as to the original illegal armament and outfit of the Independencia may be dismissed in a few words. It is apparent that, though equipped as a vessel of war, she was sent to Buenos Ayres on a commercial adventure. . . . But there is nothing in our laws, or in the law of nations, that forbids our citizens from sending armed vessels, as well as munitions of war, to foreign ports for sale. It is a commercial adventure which no nation is bound to prohibit.'

In the forty years which had elapsed since 1822, the trend of public opinion had required a stricter observance of a neutral's duty. But the trend of public opinion is not always plain, either to the official or the legal intellect; and Sir R. Palmer, speaking in 1863 as Solicitor-General, argued that 'the circumstances disclosed in the case tried before Judge Story so far [i.e. up to the 26th of July] were exactly the same as those which occurred in the case of the Alabama; and, in the absence of any further evidence, the seizure of that ship would have been altogether unwarrantable by law.'[1] Without entirely adopting Sir R. Palmer's opinion, it is fair to remember that the case of the Alabama turned essentially on the evidence. At what precise date were the British authorities in possession of

[1] Sir R. Palmer in *Hansard*, vol. clxx. p. 51; and cf. *ibid.*, p. 48, for the case of the Independencia.

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evidence which would have justified her detention? Sir R. Palmer himself wrote that, 'judged by the event, it is easy to say that it was an error on the part of the Government not to send orders to the collector at Liverpool to detain the Alabama during the interval between the 22nd of July and the receipt of the law officers' opinion.'[1] Lord Russell in his old age admitted the same thing. He stated in one passage of his 'Recollections' that he ought to have been satisfied with the opinion of Sir R. Collier; and, in another passage, that the Alabama ought to have been detained in the interval during which he was waiting for the opinion of the law officers;[2] and Sir A. Cockburn, who ultimately represented this country on the tribunal to which the whole matter was referred, has recorded that, on the 21st of July, the collector of customs at Liverpool had sworn information in his possession which would have entitled him to detain the vessel; and that, though he considered the collector justified in referring for instructions to London on a matter of such importance, he had no doubt that, on the 25th, the Commissioners of Customs ought to have ordered her detention.[3] The reader who will carefully compare these opinions will see that, whatever excuse the British Foreign Office may have had for its action, or its inaction, during the days which preceded the 26th of July, there was no justification for its neglect to detain the vessel on that date. He will perhaps also understand why Lord Russell, writing in 1863, spoke of the Alabama's escape as 'a scandal';[4] and why, in the next case of importance which arose, he took a very different and more decided course to vindicate the neutrality of this country.[5] It is due to

[1] Lord Selborne, *Family and Personal Memorials*, vol. ii. p. 423.

[2] *Recollections and Suggestions*, pp. 286, 407.

[3] *Parl. Papers*, 1873, vol. lxxiv. pt. ii. pp. 186, 190.

[4] *Hansard*, vol. clxxiii. p. 989.

[5] For the case of these vessels, Lord Selborne, *Family and Personal Memorials*, vol. ii. p. 447 *seq.*; *Hansard*, vol. clxxiii. pp. 427, 544, 955; *Parl. Papers*, 1864, vol. lxii. p. 137;

Lord Russell to add that, when the mischief was done, he did his best to repair it. He desired to issue instructions for the arrest of the Alabama in any colonial or British port to which she might proceed. But the Cabinet of Lord Palmerston, to whom he made this proposition, would not hear of its adoption. A large majority of its members sympathised with the South, and, in their hearts, rejoiced at the Alabama's escape. A writer, indeed, with good opportunities of information, declared, with some exaggeration, that 'there was not one of her Majesty's Ministers who was not ready to jump out of his skin for joy when he heard of the escape of the Alabama.'[1]

The sympathy of this country with the South.

It was this disposition on the part of the Cabinet to look with favour on the cause of the South, which constituted the true grievance of the American people. They might have forgiven the neglect which enabled the Alabama to escape on the 29th, by not ordering her detention on the 26th, of July; but they could neither forget nor forgive the fact that the British Cabinet and the British people were rejoicing at the error which had enabled her to spread her wings and fly away from the estuary in which she could have been easily arrested. The people of the North had assumed that their kinsmen across the Atlantic would look with favour on their cause. Great Britain was the country of Wilberforce, of Buxton, of Clarkson, and of all the abolitionists; it was the country which prided itself on having paid 20,000,000*l.* to terminate slavery in its own dominions; it was the country which had been foremost in endeavouring to stop the slave trade. Her antecedents, it was assumed, would enlist her sympathies with a people who were encountering the horrors of civil war for the purpose of putting down slavery.

[1] Mozley's *Reminiscences*, vol. ii. p. 141; cf. *Life of Lord John Russell*, vol. ii. p. 367, *note*, and the *Life of Adams*, pp. 307–344.

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The ordinary American citizen could not believe that society in England would sympathise with a nation of slave owners, and that men of mark in politics, in literature, and in society, would openly express their belief in, their sympathy with, the South.

The disappointment of the American citizen was not unnatural; yet he might, perhaps, have recollected that there was some excuse for the attitude of England; for the immediate issue on which war had been declared was not the abolition of slavery, but the maintenance of the Union; and, as the struggle progressed, the language of American public men made it more and more plain that the North was fighting to maintain the Union, and not to abolish slavery. In the month, which followed the escape of the Alabama, Mr. Lincoln himself declared, 'My paramount object is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slaves, I would do it; and if I could save it by freeing all the slaves, I would do it; and if I could save it by freeing some and leaving others alone, I would also do that.'[1]

When the President of the Republic was using such language, there was some excuse for an Englishman contending that the real object of the war was not the termination of slavery, but the forced subjection of the seceding States; and on this point there was room for a difference of opinion among good men, and even among good friends of America; for to many persons the cause of self-government might seem as sacred as the cause of union, and the friends of self-government might fairly argue that the South had as much right to secede from, as she had originally to join, the Union.

The cause of the South, too, attracted the sympathy

[1] Rhodes, *Hist. of the United States*, vol. iv. p. 74.

which will always be felt for the weaker side. While human nature remains unchanged, the hearts of the many will always be drawn to those who are struggling against a superior force, and will throb with a quicker pulse when the courage of its citizens or the capacity of its chiefs obtains even a temporary advantage for the less powerful combatant. The rapid successes of the South in the earlier months of the war, the defeat of the North at Bull Run in the summer of 1861, the long inaction of the army of the Potomac, under General McClellan, in the winter of 1861–62, and the brilliant campaign of General Lee, in the summer of 1862, strengthened this feeling. Men, who had official information at their disposal, thought the ultimate victory of the South assured. Lord Russell, speaking as Foreign Secretary, in March 1862, predicted that the war would be over in three months, and that the North would consent to a peaceful separation;[1] and Mr. Gladstone, unwarned by the failure of his colleague's prophecy, declared, in the following October, that 'Jefferson Davis and other leaders of the South have made an army; they are making, it appears, a navy; and they have made what is more than either—they have made a nation.'[2]

It was not wholly unnatural that, when many men in England were sympathising with the South, and many other men were confident in their belief that she would prove the victor in the struggle, some people should desire to anticipate the result by the direct action of this country. In the Session of 1861, an influential member of the House of Commons placed on the notice paper a motion for recognising the Confederate Government, which he only withdrew at the request of the Foreign

[1] *Hansard*, vol. clxv. p. 1243.

[2] Rhodes, *Hist. of the United States*, vol. iv. p. 339. Mr. Morley reports the speech in the same words. *Life of Gladstone* vol. ii. p. 79. The *Times*, in its report, gives the words as, 'There could be no doubt that Jefferson Davis had made a nation of the South.' *Times*, 8th of October, 1862.

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Secretary and of other men of position and influence in the House.[1] A year later, in July 1862, Mr. Lindsay, who represented Sunderland, asked the House to affirm that the time had come for mediation; and, though he too was persuaded to withdraw his motion, the speech which he made, in introducing it, and the language of those who supported him, went far beyond the terms of his resolution. 'It was clear,' so he said, 'that the South could not be conquered; it was still more clear that [she] could never be brought back to the Union.'[2] Even Lord Palmerston, in speaking to the motion, created the impression that he regarded it not as inexpedient, but as inopportune.[3]

The desire of Napoleon III. to intervene.

If the British Government was creating by its language the impression that it had faith in the ultimate success of the South, and that it contemplated that the time might come when, by its own action, it might accelerate the result, the Emperor of the French was more impatient. France had her own reasons for desiring intervention. The failure in the supply of cotton was producing distress in France as well as in England. But the Emperor, in addition, had another and more pressing reason for desiring to intervene. He was engaged in 1862 in a desperate adventure in Mexico;[4] and, while the Government of the United States had, from the first, looked with cold disapproval on the French expedition to that country, the Confederate Government was prepared to support it for the sake of obtaining French assistance for themselves. It so happened that, almost at the time at which Mr. Lindsay was proposing his motion, M. Thouvenel, the Foreign Minister of France, was paying a visit to

[1] Mr. (afterwards Sir William) Gregory. *Hansard*, vol. clxiii. pp. 631, 762.

[2] *Hansard*, vol. clxviii. p. 522.

[3] He entreated the House 'to leave to the responsible Government the task of judging what can be done, when it can be done, and how it can be done.' *Ibid.*, p. 573.

[4] *Vide infra*, pp. 79 *seq.*

this country. The report ran that he had come over for the purpose of discussing with Lord Palmerston the propriety of jointly recognising the Government of the Confederate States. We have M. Thouvenel's own authority for saying that this was not so;[1] but we have also his authority for adding that, while he was in London, he received a telegram from the Emperor, desiring him to ascertain whether the British Government did not think that the time had come for recognising the South.[2] From the conversations which had already passed between him and the British Minister, and from the language which Lord Palmerston had held in Parliament, he judged it inexpedient to put the Emperor's inquiry.[3] The almost continuous ill success of the Federal arms, however, gradually modified Lord Palmerston's opinion. In August, he acknowledged that there were some advantages in recognising the South, not because he desired to constitute a new nation, but because he wished to put an end to the war;[4] and, in September, he acknowledged that the time had come to consider whether 'England and France might not address the contending parties, and recommend an arrangement upon the basis of separation,' and he communicated this opinion not only to his own colleagues, but to the Government of France.[5]

[1] M. Thouvenel wrote to M. Mercier, the French Minister at Washington: 'J'aurais été mal reçu par Lord Palmerston et Lord John Russell si j'eusse réellement été à Londres remplir la mission que les journaux m'ont attribuée,' i.e. to induce the British Ministry to recognise the South. 24th of July, 1862, *Le Secret de l'Empereur*, vol. ii. p. 349.

[2] 'Demandez au gouvernement anglais s'il ne croit pas le moment venu de reconnaître le Sud.' *Ibid.*, p. 352.

[3] 'Nous avons du moins l'avantage de ne pas lui avoir posé la question.' *Ibid.*

[4] 'En août il disait qu'il y aurait des réels avantages à reconnaître le Sud, non pas pour en faire une nouvelle nation, mais pour mettre ainsi fin à la guerre.' *Ibid.*, p. 339, *note*.

[5] *Life of Lord J. Russell*, vol. ii. p. 360. 'Il semble que le moment approche où il sera à propos que la France et l'Angleterre offrent leurs bons offices aux parties en lutte dans l'Amérique du Nord, en vue de la paix sur la base de la séparation.' Lord Palmerston to M. Thouvenel,

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Thus, in September 1862, there seemed every probability that the Western powers of Europe, with or without the concurrence of Russia,[1] would agree in tendering their good offices to the combatants with the object of terminating the war. The day was actually fixed for the meeting of the Cabinet which was intended to consider this proposal; but this momentous step had no sooner been taken, than news arrived which threw doubt on its expediency; for the tide, which had been bearing the Confederate army to victory, began almost for the first time to turn. General McClellan, who had been restored to the chief command on the Potomac, for once displayed activity and energy. Early in September he forced General Lee to withdraw from Maryland; and later in the month he fought the stubborn and costly battle of Antietam Creek, which terminated for the time the Confederate advance. Encouraged by this success, Mr. Lincoln decided on issuing a long-meditated proclamation declaring all the slaves in the United States free from the first of the following January.[2] The news of these events could not but affect the views of the British Cabinet. They had reckoned on a continuance of Confederate successes; and the tide of victory was for the moment stayed. The news affected still more strongly the opinion of the country; for, with the issue of the proclamation, the character of the war was changed. 'War for the Union was abandoned; war for the negro openly begun,' said a prominent Northern Democrat.[3] It was no longer possible for the ordinary

The Confederate advance checked.

26th of September, 1862; *Le Secret de l'Empereur*, vol. ii. p. 432.

[1] *Life of Lord John Russell*, vol. ii. p. 362.

[2] Mr. Lincoln proposed this policy in July 1862; but his Cabinet hesitated to issue the proclamation in a period of defeat. It would be viewed, so they feared as 'the last measure of an exhausted Government.' Rhodes, *Hist. of the United States*, vol. iv. p. 72. But, after General Lee's retreat and the battle of Antietam, Mr. Lincoln thought this objection no longer applied, and issued the proclamation. *Ibid.*, p. 161.

[3] *Ibid.*, p. 226.

British citizen to close his eyes to the fact that the future of slavery was the great question to be determined by the issue of the war.

The British Government decides against mediation.

Already, indeed, at the end of September, Lord Granville, who was in attendance on the Queen in Germany, wrote to protest against the alteration of the policy which the Government had hitherto followed; and Lord Russell, in forwarding Lord Granville's letter to Lord Palmerston, admitted that it contained matter for serious consideration. The apparent change in the fortunes of the war imbued Lord Palmerston with similar hesitation, and he decided that it would be wise to wait for ten days or a fortnight to see what the future had in store.[1] The change in the Prime Minister's intentions was not communicated, apparently, to the other members of the Government; and Mr. Gladstone, who had reason to believe that the Cabinet was about to meet to consider the expediency of mediation, made the speech at Newcastle, in which he declared that Mr. Jefferson Davis had made, or was making, a nation. This declaration was so inconvenient, that Lord Palmerston desired Sir G. C. Lewis[2] to take some public opportunity of replying to it; and when the Cabinet met towards the end of October, it was found that so many of its members were opposed to mediation, that the proposal fell through.

Another inconvenience resulted from the decision of the British Cabinet. On the day which preceded that on which the Cabinet sat, the French Emperor received Mr. Slidell, the Confederate envoy, at St. Cloud, and

[1] *Life of Lord J. Russell*, vol. ii. pp. 362, 363.

[2] Lord Palmerston's doubts were conveyed to Lord Russell on the 2nd of October, only five days before the Newcastle speech. I am informed that Lord Palmerston sent for Sir G. C. Lewis, and told him that if he (Sir George) did not reply to Mr. Gladstone, it would be necessary for him to do so himself. No one, so far as I know, has noticed that Mr. Gladstone, when he made his speech, had reason to suppose that he spoke the mind of Lord Palmerston.

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told him of his desire, with the help of England and Russia, to effect a six months' armistice between the combatants. The decision of the British Cabinet made it impossible for him to give effect to his intention. Lord Russell, indeed, in replying to the Emperor, argued that there was no reason to suppose that the Federal Government would accept the proposal, and that its refusal would make it more difficult to renew it at a future time.[1] For the moment the Emperor accepted the rebuff, and abstained from further action. But the tide in the fortunes of the war again turned; and in December General Burnside, who had succeeded to the command of the Federal army, sustained so crushing a defeat at Fredericksburg that the American correspondent of a great English newspaper declared the day would be 'a memorable day to the historian of the Decline and Fall of the American Republic;'[2] and Lord Derby, speaking with all the authority of the leader of the Conservative party, predicted that 'the restoration of the Union, as it formerly existed, is the one conclusion which is absolutely impossible.'[3] Encouraged by the Confederate success, and misled, like the 'Times' and Lord Derby, by the difficulties with which the Federal cause was surrounded,[4] the Emperor, in February 1863, was tempted to do alone what in the previous October he had wished to do in concert with

Napoleon III. endeavours to mediate.

[1] Rhodes, *Hist. of the United States*, vol. iv. pp. 346, 377. Napoleon saw Mr. Slidell on the 22nd of October, and Lord Palmerston's Cabinet met on the 23rd.

[2] *Times*, 13th of January, 1863.

[3] *Hansard*, vol. clxix. p. 25.

[4] The people in the North ceased to respond to the President's demand for men. Compulsory recruiting in New York led to a riot, which lasted four days, and which in blood and treasure was almost as costly as a battle. Rhodes, *Hist. of the United States*, vol. iv. p. 328. High bounties, the other device on which the North relied for recruiting its armies, led to the crime of counter-jumping, or, in other words, created a set of knaves who enlisted to desert and enlist again. A man in Albany Penitentiary confessed to having 'jumped' the bounty thirty-two times. *Ibid.*, p. 431. The bounties in New York amounted to $677 for ordinary recruits, and to $777 for veteran soldiers. *Ibid.*, p. 430.

Russia and this country. His offer of friendly mediation was met with a firm refusal,[1] and he did not venture to renew it. But he did not change his mind; and a Radical member of Parliament, Mr. Roebuck, who, in June 1863, proposed the recognition of the South, declared that he had lately returned from Paris and from an interview with Napoleon; that the Emperor's feeling for the recognition of the South was stronger than ever; that he was anxious to ascertain whether the British Government would join him in giving effect to his own views; but that he was determined to do nothing without the help of this country.[2]

Mr. Roebuck's motion led to no result. The debate upon it was adjourned, and, before it could be resumed, the course of events induced men on both sides of the House to deprecate its resumption. For the news which reached England from America spoke of a fresh invasion of the North by the Southern armies; and the successful progress of General Lee seemed to indicate the possibility of his being able to force a peace at the sword's point on his reluctant opponent. The friends of the South in this country concluded that the end which they desired was about to be attained without intervention; indeed, the 'Times' declared that 'there was very good reason for supposing that the North [could] not, at any rate for the present moment, collect a force sufficient to meet the veteran troops of General Lee.' In these circumstances Mr. Roebuck was persuaded to move the discharge of the order for the resumption of the debate, and the matter dropped.[3] It was well for this country that it did so; for, three days after the

[1] Rhodes, *Hist. of the United States*, vol. iv. pp. 346, 348.

[2] For Mr. Roebuck's speech, *Hansard*, vol. clxxi. pp. 1771, 1778. Mr. Lindsay's confirmation of Mr. Roebuck's acount of his interview with Napoleon III. will be found, *ibid.*, vol. clxxii. p. 559. Lord Campbell (son of the Chancellor) had previously brought the question of recognising the South before the Lords. *Ibid.*, vol. clxix. p. 1714.

[3] *Times*, 4th of July, 1863; *Hansard*, vol. clxxii. pp. 554, 661.

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debate on Mr. Roebuck's motion, the progress of the Confederate armies was checked at Gettysburg, and on the following day new hopes were raised in the North by the fall of Vicksburg, a victory which prepared the way for General Sherman's campaign of 1864, and which revealed to his fellow-countrymen the capacity of the leader [1] who was destined to end the war.

The turn of the tide.

In fact, in the summer of 1863, the North gradually obtained one advantage which was destined to be decisive. In the earlier years of the war, the numerical superiority, which from the first it had enjoyed, had been practically redressed by the superiority of the Southern leaders. The capacity of General Lee, the courage of General Stonewall Jackson, had turned the scale in favour of the Confederates; for, though Mr. Lincoln had succeeded in collecting armies, he had failed in his search for a general. Most people now credit him with the dictum, 'Never swop horses while you are crossing a stream;' [2] yet no man charged with the conduct of a war ever swopped horses so frequently as Mr. Lincoln. General McDowell was succeeded by General McClellan; General McClellan by General Halleck; General Halleck by General McClellan; General McClellan was superseded—his second supersession—by General Burnside, General Burnside by General Hooker, and General Hooker by General Meade. With the solitary exception of General Meade's doubtful success at Gettysburg, every successive commander brought his

[1] Mr. Lincoln had previously noticed General Grant's ability; and had told a deputation, who had asked him to remove General Grant because he was drinking, 'Just find out what particular [whisky] he uses, and I will send a barrel to each of my other generals.' *Abraham Lincoln*, by J. H. Choate, p. 57.

[2] What Mr. Lincoln really said was, 'I do not allow myself to suppose that either the Convention or the League has concluded to decide that I am either the greatest or best man in America, but rather they have concluded it is best not to swop horses while crossing the river; and have further concluded that I am not so poor a horse that they might not make a botch of it in trying to swop.' Rhodes, *Hist. of the United States*, vol. iv. p. 470.

army little but disaster. General McDowell is associated with the defeat of the Federals at Bull Run; General McClellan's first command with the retreat from Richmond; General Halleck saw the defeat of his two lieutenants, Generals Pope and McDowell. The initial success which General McClellan gained at Antietam Creek during his second command was lost by his subsequent defective strategy; General Burnside was beaten decisively at Fredericksburg; General Hooker at Chancellorsville. But, in the summer of 1863, General Grant's success at Vicksburg showed Mr. Lincoln that he had at any rate one competent general at his disposal. Thenceforward, if no Northern commander displayed the eminent qualities of General Lee, the Northern armies in the east were led with resolution by General Grant, the Northern armies in the west were led with skill by General Sherman.

It so happened, too, that at the time when the Northern armies were first entrusted to competent leaders General Lee had the great misfortune to lose his best and ablest lieutenant. General Jackson—General 'Stonewall' Jackson, as he was called from his own intrepid conduct[1]—died, in the summer of 1863, from the effects of wounds which he had received at Chancellorsville. The Confederates could have better spared ten thousand men. His loss was sensibly felt in the hard fighting which marked the concluding months of the campaign. General Lee himself thought that, with General Jackson's help, he could have turned the battle of Gettysburg into a great Confederate victory;[2] and, in the desperate struggle which took place after Grant assumed the supreme command, the courage

[1] 'Look at Jackson! There he stands like a stone wall,' were the words with which a Confederate leader rallied his retreating troops at the second battle of Bull Run. Rhodes, *Hist. of the United States*, vol. iii. p. 447. The reader who desires further information about the intrepid leader, will find it in the late Colonel Henderson's *Stonewall Jackson and the Civil War*.

[2] *Ibid.*, vol. iv. p. 265.

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and capacity of General Jackson might have redressed the balance on many a hard-fought field.

For the appointment of General Grant to the supreme command, and his assumption of the active command in the Eastern States, did not in the first instance check the tide of ill success which had hitherto followed the Federal leaders, and which had constituted so persistent and disastrous a drain on the resources of the North. Grant, indeed, displayed a resolution which no other Federal commander had shown, and which induced him to attack, and to attack again, without much regard for the cost of the onslaught. In the game of war, which he was playing with Lee, he had the perspicacity to see that he could not merely afford to change pieces, but that he might throw away two pawns for every pawn of which he deprived his adversary. In other respects, if a civilian may be permitted to hint a doubt on such a subject, he displayed inferior generalship, or generalship inferior to that of his great adversary. His passage of the Rapidan led to a series of bloody struggles in which the advantage was not with the Federals; and, though he declared in a memorable despatch that he proposed 'to fight it out on this line if it takes all summer,'[1] the hideous extent of his losses—for 50,000 men fell in a month[2]—induced him to reconsider his declaration, to cross the James, and to assail Richmond from the south. But this movement only led to fresh disaster. An attack on Petersburg, which covered Richmond, was decisively defeated. The Northern troops were demoralised by the further loss inflicted on them;[3] the Confederates were encouraged by the evident prostration of their opponents to attempt a fresh invasion of Maryland; Washington was placed for a moment in a

The qualities of General Grant.

[1] Rhodes, *Hist. of the United States*, vol. iv. p. 443.
[2] *Ibid.*, p. 447. [3] *Ibid.*, p. 490.

position of danger more serious even than that which it had experienced after the first battle of Bull Run. Since July 1863, indeed, there was no moment when the cause of the North seemed more desperate, the victory of the South more assured, than the summer of 1864.

The collapse of the Confederates.

Yet the tide was about to turn, and to turn for the last time. In August, Admiral Farragut, by a naval victory at Mobile, completed the isolation of the South; in September and October, General Sheridan, in a series of brilliant battles, drove the Confederates out of the Shenandoah Valley; in November, General Sherman, resuming his march for Atlanta, pressed forward to Savannah, and revealed by his progress the weakness of the Confederate cause; and in the following spring Lee himself was driven back, and forced to lay down his arms. The war was virtually terminated.

In the course and progress of this great struggle, perhaps the greatest struggle which has ever been concentrated in four years of history, reputations on either side were won and lost. Sherman, Sheridan, Farragut, on the side of the North, 'Stonewall' Jackson and Johnstone on the side of the South, displayed the rare qualities which fit men for command in war; but the four men whose names will be permanently associated with the struggle are those of Jefferson Davis and Lee, Grant and Lincoln.

The heroes of the war.

Of the two Southern leaders, Jefferson Davis will always be numbered among the rare company of the select who have shown themselves born rulers of men. The man who placed himself at the head of a few seceding States, who, notwithstanding inferiority of numbers and the disadvantages of isolation, organised society, and made victory, for four years, possible, will always command respect. Perhaps, too, it may ultimately be forgotten that the cause for which Jefferson Davis was fighting was a bad cause; that he

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himself was a typical representative of the men who had staked their all on slavery; that if slavery be, as most people think, an unmitigated evil, he was the man who had deliberately proclaimed, 'Evil! be thou my good.' It is indeed true that, in words which Milton might have put into the mouth of Moloch, he asserted, 'We are not fighting for slavery: we are fighting for independence; and that or extermination we will have.' But the question of independence would not have been raised in 1860, if slavery had not been the stake for which the game was played.

But, if admiration of Mr. Jefferson Davis's great qualities is tempered with regret at his opinions, no such qualification need stint our praise of General Lee. To him, at any rate, slavery was a moral and political evil; the Union, a glorious bond, to which he was proud to belong; but the Union which he loved was one founded on freewill, and not one compacted by force. If General Lee drew his sword with a reluctance which others did not share, he wielded it with a skill which no other American displayed. With inferior forces at his command, with his inferiority increasing as the years rolled on, he proved, again and again, his superiority on the battle-field; for he brought to the campaign not merely the wasting armies which the South could alone recruit, but the genius which triumphed over difficulty, and plucked success out of danger.

In all that constitutes generalship, General Grant was inferior to General Lee. His greatest achievements —the capture of Fort Donelson and Vicksburg—were won against inferior commanders; and, though in the end he wore down General Lee by a process of attrition, he never showed himself his equal in a single portion of the campaign. He was a man of blood and iron, whose nerves were unshaken by the effects of previous indulgence, or by the spectacle of the bloodshed

through which he waded to ultimate victory. He set himself his task, knowing the cost that it would entail; perhaps conscious—for it is his best excuse—that concentrated slaughter is, on the whole, less wasteful of life, less productive of suffering, than protracted warfare.

The traveller who visits the United States to-day, and sees at New York the splendid tomb which has been accorded to General Grant, or reads the account of its inauguration, may possibly conclude that the American of the present generation has placed General Grant on a pinnacle above Mr. Lincoln, and that he pays too much honour to the memory of the soldier; or, at any rate, renders too scant homage to that of the statesman. Yet, perhaps, of all the men born to the Anglo-Saxon race in the nineteenth century, Mr. Lincoln deserves the highest place in history. No man ever rose more quickly to the dignity of a great position. No man ever displayed more moderation in counsel, or more resolution in administration, or held a calmer or steadier course. Through the channel of difficulty and danger, he kept his rudder true.

While he was in office, men frequently found fault with his conduct. They condemned his policy, they criticised his manners, they thought the quaint stories, with which in conversation he liked to divert attention from subjects which he did not wish to discuss, were unworthy of his position; and that his somewhat ungainly and ill-dressed figure was unsuited to the atmosphere of courtly culture with which his predecessor had enveloped the White House. In Mr. Lincoln's case, however, the apparel did not proclaim the man. Beneath that uncouth, neglected figure, there beat one of the truest and noblest hearts that ever warmed the breast of man or woman. His quaint stories at any rate served to show that the President could retain his

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humour in the hour of danger; while in his public utterances he rose to a force of argument, and, as in his Gettysburg speech, to a dignity of language, which few of the great speakers on either side of the Atlantic have equalled, and perhaps none have surpassed.[1]

Amidst all the difficulties and disasters of the Civil War, his resolution was never shaken, his courage never quailed. From first to last, he was determined to fight on till the Union was preserved; and the ultimate defeat of the Confederacy was due much more to his persistence than to the strategy of General Sherman or the sword of General Grant. Bold in execution, however, he was moderate in counsel; and this country should remember with gratitude that, while other American citizens were covering Captain Wilkes with honour, the President had the good sense to regret the capture of the Confederate envoys.

If Mr. Lincoln was great in his life, he was, in one sense, fortunate in his death. The horrid crime by which his career was terminated came at the most fitting moment; for the assassination of the President followed closely on the surrender of the South, and the same week saw the virtual conclusion of the war and the death of the ruler under whose auspices the end had come. History hardly affords a parallel to this coincidence; for it is the lot of most public men to survive their reputation. Few indeed are they who have had the fortune to be struck down in the hour of their victory.[2]

The disappearing traces of the war.

The years which have rolled by since the great struggle was fought out, have done much to obliterate

[1] I have ventured in this passage, describing the chief heroes of the American Civil War, to reproduce a portion of an article which I contributed to the *Edinburgh Review* in January 1901.

[2] It ought perhaps to be added that addresses of sorrow, indignation, and sympathy were carried in both Houses of Parliament on the news of President Lincoln's assassination. *Hansard*, vol. clxxviii. pp. 1219, 1242.

its traces. The man who visits the United States to-day may have the good fortune to meet at the same dinner table the survivors of those who fought and who conquered, and of those who fought and were defeated, in the Civil War. The sores which the war created have been partly healed by time; and the American citizen may include Lee and Jackson among the great children of the United States, just as every fair Englishman will venerate Washington as one of the chief heroes of his own race. One relic of the war, indeed, remains. The slave is gone, but the negro survives. The white man shuns him, the white woman shrinks from him; but the heat, which is unfavourable to the white man, favours his growth. The negro is multiplying his species with a rapidity which excites alarm; in some States he is already predominant; and the time may apparently come when he may control the policy of whole States, and assert the superiority which his numbers are giving to him.

These considerations, however, do not fall rightly within the compass of this work. But, perhaps, before finally leaving this short account of a great struggle, it may be permissible to add that one mark of it still survives and is likely to endure in the beautiful cemeteries which have been dedicated to those who fell in their country's service.

The Gettysburg speech.

One of them, on the field of Gettysburg, will be dear to Anglo-Saxons for all time, because it inspired the famous two-minutes' speech which is perhaps the most perfect example in our language of what such a speech on such an occasion should be:

'Four score and seven years ago our fathers brought forth on this continent a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal,' so it begins. 'It is for us the living to resolve,' so it ends, 'that these dead

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shall not have died in vain; that this nation under God shall have a new birth of freedom; and that government of the people by the people and for the people shall not perish from the earth.'

The cemetery at Arlington.

Gettysburg, however, is comparatively remote from the path which the ordinary traveller follows in the United States; but in the immediate neighbourhood of Washington there is another cemetery, which perhaps the Anglo-Saxon may regard as one of the holiest and sublimest spots on the earth. Other nations, so he may reflect, have dedicated monuments or cathedrals to their mighty dead. The democracy of the United States has consecrated its choicest spot to the memory of its common soldiers. They lie there, in that cemetery at Arlington, in companies, in troops, in regiments, in brigades. The endless rows of silent headstones, ranged in a regular order, as those who slumber beneath them were once ranged on the battle-field, testify to the extent of the loss, the greatness of the sacrifice.

The place itself in which they sleep is one of the most beautiful spots in the Eastern States. From the heights of Arlington the eye may travel over the broad waters of the Potomac to the city of distances, with its stately buildings, its noble column, and its leafy avenues. And the beauty of the prospect is not the only thing which charms the sense and interests the spectator; for this Arlington, in which those who died for the cause of the Union now sleep, was the home before the war of the great general who flung the weight of his sword into the other scale. In this very portico he may have wrestled with the claims of the flag which he loved, and of the State which he loved more. This Arlington is the outward and visible sign of the sacrifice which he made to what he thought his duty.

But the interest of the story does not end with the sacrifice of the general. Arlington, in the course of the war, was seized on account of the taxes upon it, which its owner neglected to pay, and its beautiful grounds were devoted to the burial of those who had fallen in the struggle; but, after the conclusion of the war, the representatives of its former owner brought an action against the United States for the recovery of their property. The suit was decided in their favour, and the Government of the United States was obliged to buy what they had previously seized. Thus, while Arlington, in one sense, discloses the arbitrary measures which were taken during the shock of arms, in another sense it testifies to that abiding sense of law and justice which is so firmly seated in the Anglo-Saxon race. The property which force had appropriated was restored by law.[1]

The victory of the North did not merely terminate the great American Civil War; it abruptly ended another enterprise, in which Napoleon III. had rashly engaged the French nation. He had committed himself to the task, which some men may be tempted to denounce as quixotic, and others may be disposed to condemn as unprincipled, of establishing a new empire on the shores of North America; and the surrender of General Lee destroyed the rule of Maximilian in Mexico

[1] The traveller should read the inscription in the entrance hall at Washington, which records this most interesting story: 'Mrs. Lee having died 1873, legal proceedings contesting the legality of the tax sales were instituted by Geo. Washington Custis Lee, as heir under the will of his grandfather, George Washington Parke Custis. The cause was heard in the United States Circuit Court for the eastern district of Virginia, and verdict rendered in his favour, which upon appeal was affirmed by the decision of the Supreme Court of the United States, 4th of December, 1882. Congress, by Act of 3rd of March, 1883, appropriated the sum of $150,000 for the purchase of this property, and on the 31st of March, 1883, George Washington Custis Lee conveyed to the United States by deed the title of the property in question for the sum appropriated.'

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as effectually as it crushed the aspirations of the secessionists in the Southern States.

Mexico.

Mexico, after achieving its independence in 1821, passed through a troubled history. It was the constant scene of civil war, and on one occasion, in 1848, was engaged in a disastrous foreign war with the United States, which cost it half a million square miles of territory, and left it with the disadvantage of a doubtful and disputed boundary. External difficulties and internal complications inevitably produced financial embarrassment; and, at the end of 1857, the country was the prey of two leaders, Miramon, who represented the Conservative or reactionary party, and who occupied Mexico, and Juarez, the leader of the Liberal or democratic party, who ruled at Vera Cruz. Both parties were engaged in a furious civil war, which was conducted without mercy; and both parties, equally insolvent, were equally unscrupulous in their exactions and in their government.

The grievances of foreigners in Mexico.

If Mexico had simply been the home of the Mexicans themselves, Europe might have regarded with regret, but with indifference, its intestine disorders. The wealth of the country, however, had attracted to its shores a large number of foreign adventurers. French, English, and Spanish merchants had settled in the State, with the object of enriching themselves by the development of its agricultural and mineral resources. These adventurers became the alternate prey of both parties in the republic. They were subjected to arbitrary taxation and to personal violence. They naturally carried their complaints to their consuls, who as naturally referred their grievances to their respective Governments. These Governments, however, found it difficult to obtain justice for their subjects. France, indeed, sent a squadron across the Atlantic in 1838 and bombarded St. Jean d'Ulloa; and France, Spain, and this country

negotiated treaties which were intended to secure redress for the evils of which their own subjects complained. It was comparatively easy to frame treaties of this kind; it was almost impossible to execute them. Who, indeed, was the ruler who was to be held responsible? Was it Juarez at Vera Cruz, or Miramon at Mexico?

In September 1860 a new outrage brought matters to an issue. A considerable consignment of silver, the property chiefly of British subjects, was seized on its way to the coast, under orders from Juarez, by an officer of high rank in his army. Two months later, in November, a force under Miramon's orders entered the British Embassy at Mexico, and seized some funds deposited for payment of interest, or arrears of interest, on Mexican securities. Both parties gave the same excuse for their acts of violence; both pleaded the necessities of their situation; both, in giving formal acknowledgments of their debt, offered the same remedy. Juarez offered to repay what he had taken when he had conquered Miramon; Miramon professed himself equally ready to be honest when he had conquered Juarez.[1]

In a state of civil warfare in a semi-barbarous community, there was hardly more respect for life than for property. Mr. Layard, speaking as Under-Secretary of State in 1862, said, 'He need scarcely remind the House that an English consul and a French consul had been murdered; that, after one victory, every officer taken —and they were fifty-three in number—was barbarously put to death. And not only this, but the

[1] Correspondence respecting British claims in Mexico, *Parl. Papers*, 1861, vol. lxv. pp. 2 and 12; De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 6–12. It is right to add, that the house in which the outrage occurred, was not in the actual occupation of the British Legation. But the warehouse, from which the funds were extracted, bore the words, 'Legacion de S.M.B.,' and the padlock, by which its door was secured, had attached to it the seal of the Legation and the signature of the British Consul.

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medical men, who had remained to attend on the wounded, had been taken out and shot. Among them was Dr. Duval, 'for whose murder compensation was demanded by the English Government.'[1] The disorder was so great that the British Government despaired of a remedy. 'Writing to Mr. Mathew, the British Consul at Mexico, Lord John Russell complained that the representations and remonstrances of her Majesty's Government were entirely disregarded; that not a month passed but further outrages were committed, and further spoliations perpetrated upon British property. He added that, in these circumstances, her Majesty's Government would best consult its own dignity by withdrawing her Majesty's Legation from the capital of the republic; and he accordingly directed Mr. Mathew to go to Jalapa, and there observe a strict neutrality.[2]

The defeat of Miramon.

At last, at the end of 1860, civil warfare was temporarily terminated by the defeat of one of the parties to it. Miramon, decisively beaten, fled from the country;[3] and Juarez, left master of the situation, had the opportunity of putting his house in order and of satisfying the claims of his foreign creditors. Juarez, however, showed no eagerness in establishing settled government. Perhaps it is fair to add that it was easier to suggest in Paris or in London the establishment of order, than to effect it in Mexico. The latest of Napoleon III.'s critics has, indeed, recorded his opinion, that Juarez intended to be honest, and that if he had been left alone he probably would have restored the credit of his

[1] *Hansard*, vol. clxv. p. 1274.

[2] *Parl. Papers*, 1861, vol. lxv. p. 1. It is a pleasure to add that French historians are on this occasion full of praise of British diplomacy. M. Ollivier, for example, talks of Lord J. Russell's excellent instructions, and speaks of Mr. Mathew as the only diplomatist who did not deceive his Government by false reports. *L'Empire Libéral*, vol. v. pp. 224–228. He says elsewhere that Lord John was imperturbably on the side of justice without indulging in his habitual pedantry. *Ibid.*, p. 405.

[3] *Parl. Papers*, 1861, vol. lxv. p. 46.

country.[1] Whether Juarez was unwilling or only unable to restore order, the old anarchy remained unrepressed; and, in July 1861, a fresh act of rapine threw new light on the proceedings of the Mexicans. The sum, which had been accumulated at Vera Cruz to satisfy international engagements, was appropriated to the necessities of the Government; and a law was voted by Congress suspending for two years the payment of all debts inscribed in the treaties with foreigners.

It was in these circumstances that the European Governments chiefly interested, those of France, Spain, and Great Britain, met to consider the course which they should pursue. The reports which they received from Mexico made it quite plain that neither the goods nor the persons of foreign residents were safe; and—though a man who chooses to reside in a country which is not his own has no right to expect that the power of his own nation should be exerted to enforce payment of loans which either he or his fellow-subjects at home have made—it is the interest, and perhaps the duty, of every civilised community to insist that its own subjects should everywhere receive adequate protection from the laws of the state which they have made their home. The measures, to which a nation may resort to insure the safety of its own subjects abroad, may be governed by considerations of expediency; but its right to adopt them can hardly be questioned by international jurists. The expediency of resorting to such measures must, however, be determined in each case by the surrounding circumstances, and in America it is largely affected by the universal recognition of the Monroe doctrine. In the earlier years of the nineteenth century, the President of the United States, with the cordial concurrence of this country, had laid down the rule that the Government of the United States, while

The Monroe doctrine.

[1] M. Ollivier in *L'Empire Libéral*, vol. v. pp. 211–232.

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scrupulously refraining from interference in the political affairs of the Old World, would not tolerate European intervention in the status of the New. The great transatlantic republic, which had become in the interval one of the leading powers of the world, had thus formally warned the statesmen of Europe that they would allow no aggression in America; and the 'doctrine' was so universally accepted, that, if the United States had been at peace, no European nation would have ventured on an armed occupation of Mexican soil. In 1861, however, the people of the United States were rent in twain by the great civil struggle between the South and the North; and, while most European statesmen were of opinion that, whatever might be the issue of the struggle, the Union could never be restored, many European statesmen, among whom Napoleon III. was prominent, were anxious to prevent its restoration. Europe, therefore, in 1861, had an unusual opportunity before it. European countries could safely resort to expedients which at other times would have involved a rupture with the United States; and the three Governments of France, Spain, and Great Britain were thus enabled to agree upon a convention, which was signed in London on the 3rd of October, 1861, in which it was decided to require the Mexican authorities to provide effective protection to foreign residents, and to enforce compliance with the pecuniary stipulations of previous treaties. With these objects, the three Governments agreed to send sufficient forces to Mexico to seize and occupy several positions on its coasts. By an additional article, the commanders of the allied forces were authorised to undertake such other operations as they might judge most expedient to realise the ends which were contemplated by the convention.

The convention of 1861.

The additional article was obviously susceptible of

various constructions. It practically remitted to the commanders of the allied forces a difference of opinion between the allies which they had not been able to resolve themselves. This country, from first to last, while anxious to obtain protection for its subjects and the liquidation of all debts, desired to interfere as little as possible in the internal affairs of Mexico. But the views both of Spain and France were very different. In the days of his exile, Napoleon had dreamed a dream about the New World, as he had dreamed so many dreams about the Old. He had imagined the construction of a vast canal, which might connect the waters of the Atlantic and the Pacific, and on which a new Constantinople might be raised near the borders of North America and South America just as the old Byzantium had been erected on the confines of Asia and Europe.[1] He had unfolded his dream, in 1846, in a pamphlet. The circumstances of 1861 seemed to offer some opportunity for realising it. The Pacific and the Atlantic might still be united, but the first essential of success was the establishment of a settled government. The regeneration of Mexico was necessary, and Mexico could be regenerated best by conquest.[2]

The initial difference among the allies.

The Emperor was so much impressed, or so much infatuated, with the prospect of realising one of his earlier dreams, that he directed his ambassador at London to sound the English Government on the subject, and he received a reply from Lord John Russell which a French historian has admitted to have been eminently sagacious: the principle of non-intervention is the rule of our conduct, said Lord John. Wise as this rule is elsewhere, it is eminently so in Mexico, both having regard to the extent and the disordered state of the country, as well as to the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 13; and cf. *Ollivier*, vol. v. p. 236.

[2] *De la Gorce*, vol. iv. p. 15.

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position of the United States, always suspicious and awake. The Spaniards moreover would be odious to the Mexican Liberals, the English to the Mexican Conservatives. In short, an attitude of abstention was the best for England, for Europe, and for Mexico itself.[1]

The attitude of Spain was more uncertain. She was distracted between a desire to recover some portion of the great empire which she had lost, and a fear that the expedition might ultimately work for the profit of France and not of herself. This desire and this fear alternately coloured her policy. Her ambition induced her to take, in the first instance, a leading part in the expedition; her fears ultimately prompted her to withdraw from it. In consequence, she seemed alternately to favour the large views which prevailed at the Tuileries, and the more modest programme which was deemed sufficient at St. James's. This hesitation on the part of Spain coloured the whole history of the expedition.[2] At the outset, she despatched a larger force than either of her allies; in the event, she withdrew her troops and left France the task of carrying out her ambitious policy alone.

The forces of the allies.

The different views of the three powers found expression in the forces which they despatched to Mexico. Great Britain promised to send a small squadron of two battle-ships and four frigates, and to land some 700 marines[3] under the command of a commodore. France proposed to despatch some 2,500

[1] *De la Gorce*, vol. iv. p. 21, and Correspondence respecting the Affairs of Mexico, *Parl. Papers*, 1862, vol. lxiv. p. 94. The French thought monarchy the only possible form of government for a Latin race. M. Thouvenel, writing to the Comte de Flahault in September 1861, said: 'Ce gouvernement [un gouvernement fort et raisonnable], pour les races latines surtout, est-il possible en dehors de la forme monarchique? Je ne le crois pas, et l'on m'assure que tous les gens honnêtes et sensés du Mexique sont de cet avis.' *Le Secret de l'Empereur*, vol. ii. p. 168.

[2] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 23–25.

[3] *Ibid.*, p. 29; and see Lord Russell in *Hansard*, vol. clxvii. p. 720.

troops, and to place the command under an admiral, who was to be entrusted with full diplomatic powers. Spain determined to forward a little army of 6,000 men, and to give the command of this considerable force to General Prim, one of the foremost men in Spain. The reputation of the commander, his relations with Mexico, his knowledge of the language, and the force which was entrusted to him, all indicated that General Prim would play a leading part in the joint enterprise. The French Government was a little disconcerted by rumours to this effect, and thought it necessary to contradict them in the 'Moniteur.'[1]

They land at Vera Cruz.

Towards the middle of January 1862, the allied forces were all disembarked at Vera Cruz, the Mexicans abandoning the city on their approach. So far the expedition had proved successful. The allies were firmly established in the chief port of the country. They agreed on explaining, in a proclamation, the objects of the expedition. A long period of misgovernment—so in effect they said[2]—had necessitated the intervention of the allies. They had come, however, with no thought of war, but to stretch out a hand of friendship to an allied nation. Their only desire was the regeneration of Mexico and the re-establishment of good government.

The allies formulate their claims.

Smooth words of this kind could not effect the main purpose of the expedition. The allies had come to extort redress for the grievances of their fellow-countrymen, and they proceeded accordingly to formulate their pecuniary demands. The English claimed the punctual execution of treaties, repayment of the sums which had been purloined either on the passage to the coast or from the coffers of the British Embassy, and prompt payment of all debts actually proved, and of

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 30.
[2] *Ibid.*, pp. 31-33.

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all other debts which should afterwards be established. The Spaniards made a somewhat similar demand, and, in addition, required an apology for the expulsion of their ambassador. The French, on the contrary, claimed a lump sum of 12,000,000 piastres (about 2,500,000*l.*), and, in addition, the complete execution of the 'Jecker' contract. When this claim, the first part of which could not be examined in detail, and the second part of which was both unexpected and surprising, was raised, Sir Charles Wyke, on the part of England, and General Prim, on the part of Spain, loudly objected to it. They declared, between their teeth, that it was shameful.[1]

General Prim and Sir Charles Wyke had some reason for their denunciation of this claim. Miramon, in 1856, in the height of his difficulties, had endeavoured to issue a loan of the nominal value of 3,000,000*l.* He conceded the arrangement to M. Jecker, a Swiss banker, established in Mexico, who, like other sharp financiers of the century, had obtained a reputation for his benevolence. The details of the loan need not be precisely stated. It is sufficient here to say that in 1860, M. Jecker, who had still a large quantity of the bonds in hand, failed; and that in the same year Juarez defeated Miramon and cancelled the Jecker contract. It was difficult, at the first blush, to see what the allied armies had to do with a not very creditable financial transaction.

The Jecker contract.

It is true that the bonds, which Jecker had succeeded in issuing, were held in Europe and largely in France; but the sum which they represented was comparatively trifling, and the French themselves

[1] I am following a French authority in this account; for, in reflecting on the conduct of foreign nations, I always prefer as far as possible to follow the lead of the historians or critics of those nations. De la Gorce, *Hist. du Second Empire*, vol. iv. p. 36 *et seq.*, for succeeding paragraph; and cf. M. Ollivier's account in *L'Empire Libéral*, vol. v. pp. 362, 365.

were unable, in the first instance, to understand the warmth with which their representative in Mexico and their Government at home supported the Jecker contract. Later on it was discovered that the Duc de Morny, the half-brother of Napoleon, and the President of the French Legislature, had a corrupt interest in the transaction. By an arrangement concluded with M. Jecker in 1861, the Duke was to receive 30 per cent. of any profits arising from it. The support by the French Government of the Jecker contract, at any rate, continued while the Duke lived; it was completely withdrawn after his death.[1]

The demands which France thus formulated, and which shocked the representatives of this country and of Spain, indicated, at the very inception of the enterprise, a difference between the allies. The representatives of the allied powers, moreover, were already in presence of a more serious difficulty: how were they to enforce the demands which they formulated?[2] The French had hitherto believed that their presence would be welcomed in Mexico; that the friends of order would rally to their support, and urge them to introduce a firm government, and perhaps monarchical institutions

[1] See De la Gorce, *Hist. du Second Empire*, vol. iv. p. 40. The Duc de Morny was the son of Queen Hortense (the mother of Napoleon III.) by, as is believed, the Comte de Flahault, a man well known in England in the early part of her Majesty's reign. Cf. Vitzthum, *St. Petersburg and London*, vol. ii. p. 8. The Duke was the author of the *coup d'état*. He will perhaps hereafter be more widely recollected as the original of the Duc de Mora in Daudet's *Nabab*. He died in 1865. It is fair to add that M. Ollivier, while declaring that he is not able either to affirm or to deny the Duc de Morny's share in the transaction, says that the Emperor never took the Jecker loan into consideration for a single minute. *L'Empire Libéral*, vol. ii. p. 257.

[2] Lord R. Montagu, in the House of Commons, in denouncing the alliance with France for the purpose of the Mexican War, declared that he had 'never before heard of a coalition to enforce pecuniary claims. He never heard of three armies encamped as creditors on the soil of a bankrupt friend.' *Hansard*, vol. clxviii. p. 362. Lord R. Montagu did not survive till 1902, or he might have seen his own political friends imitating the worst feature in Lord J. Russell's Mexican policy without the prudence which enabled Lord John to escape with honour from a position of embarrassment.

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under a European prince. This expectation, which it had been easy enough to form in Europe, was rapidly destroyed in America. The French could not help acknowledging that Juarez, for the moment at any rate, was the only representative of Government in Mexico; they could not help perceiving that the redress which they were instructed to obtain could only be exacted from the sole authority which represented the cause of Government; they were driven, therefore, to negotiate with Juarez and his representatives. Negotiations, moreover, were necessary for another reason. It was already becoming evident that, whatever else happened, the troops could not remain at Vera Cruz. Though the expedition had arrived in the most healthy period of the year, some hundreds of Spaniards had already been invalided to Havana, and some hundreds of French were in hospital. If sickness prevailed in January and February, it was certain that the armies would melt away from fever if they remained on the coast during the rainy and unhealthy season which prevails from April to September. It was accordingly absolutely necessary, if the troops were to stay, to remove them to the higher and more healthy regions in the interior. The expedition, however, was hardly strong enough to penetrate into the interior of a hostile country, and it was therefore evident that, if it were to be moved, its transfer must be effected by arrangement with the authorities of Mexico. At the very outset, therefore, its commanders found themselves forced to negotiate with the representatives of Juarez, and they concluded with them the convention of La Soledad, which obtained its name from the little town near Vera Cruz at which it was signed. Under this convention the French were allowed to establish themselves at Tehuaca, the Spaniards at Orizaba and Cordova. A portion of Cordova was reserved for the British contingent, whose com-

Sickness among the allies.

The convention of La Soledad.

manders, however, preferred to keep their men on board their vessels at sea.

In return for these concessions, the Juaristes succeeded in obtaining considerable advantages. They obtained a declaration from the allies that the Government of Juarez possessed the necessary strength to insure itself against all revolutionary changes, and they were allowed the right to fly the Mexican flag with the flags of the allies at Vera Cruz. The allies—the French, at any rate—had come with the object of regenerating Mexico by substituting a firm, possibly a monarchical, government for the weak rule of Juarez; and their first step had been to recognise the Government which it was their object to overthrow. The allies had come to exact a debt from a debtor; and they had been forced to sue for the hospitality of the debtor while they were discussing the debt.[1]

France reinforces her contingent.

In the meanwhile, if difficulties were already arising in Mexico, differences were plainly visible in Europe between the allied Courts. Early in 1862, France determined to reinforce her contingent by sending some 4,000 additional men. The commanders of this force openly spoke of their being sent to found a monarchy in Mexico: they even mentioned the name of the monarch-designate—the Archduke Maximilian, the brother of the Emperor of Austria. Neither the French reinforcements, nor the propagation of these reports, tended to promote harmony among the allies. The French, indeed, declared that the reinforcement was necessary to prevent a possible check to French arms;[2] but the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 49, 50. Cf. Lord Russell's statement in the House of Lords, *Hansard*, vol. clxvii. pp. 720, 722.

[2] Privately the French admitted that they wished to place themselves on an equality with Spain: 'Les Espagnols nous paraissent en train de n'en faire qu'à leur tête et de s'exalter un peu trop des réminiscences de Fernando Cortez. Il est nécessaire de rétablir l'équilibre.' M. Thouvenel to Comte de Flahault, *Le Secret de l'Empereur*, vol. ii. p. 225.

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British, through Lord John Russell, expressed their regret in sharp terms, and added that nothing would induce them to increase their own force. Lord John Russell moreover addressed himself to the Courts of Paris, Vienna, and Madrid for some explanation of the rumours about the Archduke's nomination to the Mexican throne. At Paris, M. Thouvenel assured Lord Cowley that the French Government had entered into no negotiation with the Archduke on the subject.[1] The rumours had their origin in some Mexican emigrants, who had come to Europe with the object of securing some Austrian prince as the possible head of a firm Government in Mexico. At Vienna, M. de Rechberg used somewhat similar language. The Emperor of Austria, he added, would not listen to these overtures unless he was assured that his brother was invited to take the throne by the unanimous desire of the Mexicans themselves.[2] At Madrid, where the Spaniards were annoyed at the French reinforcements, which were obviously condemning Spain to the second place in the joint expedition, Marshal O'Donnell, the Prime Minister, used stronger language.[3] He disapproved, he said, the notion of establishing a monarchy in Mexico; he did not believe that, without extraneous support, it could stand a year; and the countries which had the folly to support it would be involved in a perpetual struggle with all the republics of America, and especially with the United States. Lord John Russell, having thus ascertained the views both of Austria and of Spain, turned again to Paris. He was again assured that the French would

[1] M. Thouvenel, however, was already talking of the Archduke Maximilian as 'la combinaison à laquelle l'Empereur songe.' *Ibid.*, p. 226; and M. Ollivier admits that negotiations had taken place about Maximilian's eventual candidature as early as September 1861. *L'Empire Libéral*, vol. v. p. 243.

[2] Corresp. respecting the Affairs of Mexico, *Parl. Papers*, 1862, vol. lxiv. pp. 145, 147.

[3] *Ibid.*, pt. ii. pp. 3, 4, and 9; and see De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 51, 53.

not try to impose monarchy on Mexico; but it was easy to discern from M. Thouvenel's language that the French Government would not be sorry to see the Mexicans themselves take steps to establish monarchical institutions.[1]

Dissensions among the allies.

If the allies were already differing on the scope and objects of the expedition, the news which reached Europe from Mexico tended to increase these differences. In London it was thought that the proclamation which the representatives of the allies had addressed to the people of Mexico went too far; in Paris complaints were made that it did not go far enough. In London, Lord Russell objected to the excessive demands of France, and expressed a hope that the French Government would disapprove the claim for compensation for the Jecker loan. In Paris, M. Thouvenel declared that the demands, which had been formulated on the spot, could not be revised in Paris without a more accurate knowledge of the details; and, though he refrained from defending the Jecker contract, he reminded the British Ambassador that the bonds were largely held in France, and that many Frenchmen were interested in them. All three powers, again, disliked the stipulations in the convention of La Soledad; but, in London, Lord Russell considered that, on the whole, he had no alternative but to approve what had been done; in Paris, the Government, on the contrary, repudiated the convention, and published its repudiation of it.[2] In Paris, M. Billault was saying in the Chamber that the troops were probably already in the capital; in London, Lord Russell was declaring that in no case would an English force advance into the interior, and that, if the

[1] *Parl. Papers*, 1862, vol. lxiv. p. 108.

[2] Emile Ollivier, *L'Empire Libéral*, vol. v. p. 395. Spain, with some hesitation, followed the example of this country, and approved the convention.

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health of the troops rendered it necessary, the British contingent would be withdrawn to Bermuda.[1]

In the meanwhile, the reinforcements sent from France, which were placed under the command of General de Lorencez, reached Vera Cruz. Their arrival was disliked by the British, whose instructions forbade them to embark on war; and by the Spaniards, who saw themselves at once reduced from the first to the second place in the expedition. Unhappily, at the time at which General de Lorencez reached Vera Cruz, another and a more important personage landed at that port.

General Almonte arrives in Mexico.

Among the Mexican emigrants who had made the acquaintance of the Emperor at Paris was a General Almonte, who was believed to be the natural son of Count Morelos, one of the heroes of the War of Independence.[2] General Almonte, who had filled many important offices in his own country, was attached to the party of Miramon, and had been selected by him as his representative in Paris. The Emperor Napoleon had been attracted by the character and ability of the man, and had been impressed by his assurance that the Conservative party in Mexico enjoyed an influence which, with very little extraneous support, might make it predominant. Napoleon, therefore, determined to help General Almonte to return to Mexico, in the hope that his presence in that country might hasten the Conservative reaction which was desired at Paris. There was very little doubt, therefore, that General Almonte came to Mexico with the object of creating a movement which might immediately overthrow the Government of Juarez, and which might ultimately secure the institution of a monarchy under a European prince. But this policy, however practicable it may have seemed when General

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 54–56.

[2] Ollivier, *L'Empire Libéral*, vol. v. p. 234. He is said to have been called Almonte because he was carried for safety to the mountains—'al monte'—as a child.

Almonte left Europe, was obviously inconsistent with the stipulations of the convention of La Soledad. The allies could not, at the same time, be under obligations to Juarez, and be plotting against his authority. They could not consistently allow Juarez to fly his flag at Vera Cruz, and employ General Almonte to use every effort to tear it down elsewhere. The Spaniards and the British strongly remonstrated against General Almonte's presence; and the French admiral felt his position so anomalous that he desired to take the extreme course of denouncing the treaty of La Soledad, of withdrawing from the advantageous positions which the treaty had secured to the troops, and of subsequently regaining those positions by force, as the avowed and open enemy of the Government of which the treaty had made him the ally. General Almonte's presence had, in fact, made it impossible to reconcile any longer either the views or the acts of the allies. The British, at any rate, were determined to recognise the Government of Juarez; the French were equally determined to subvert it. The British consequently demanded that General Almonte should be sent away; the French refused to withdraw their protection of him. The British, therefore, decided to send back their force to Europe; the Spaniards followed their example. The British Government formally approved the action of its representatives in taking this course. The Spanish Government, with some reluctance at abandoning an enterprise which it was at one time hoped might have restored to Spain the first and greatest of her transatlantic possessions, adopted the policy of Great Britain; and the French forces were left alone to carry out the larger work which the French Government had from the first contemplated, and which, after the arrival of General Almonte, they could no longer disavow.

The British contingent withdrawn.

With the withdrawal of the British contingent, the

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The French remain alone in Mexico.

interest of this country in the Mexican expedition necessarily terminated; but with its withdrawal the policy of France was rapidly disclosed, and the intention of her Emperor to realise the dream of his youth, and to found a monarchy in Mexico, became more and more apparent.

The Emperor, it must be recollected, deceived by the reports which had been made to him by Mexican refugees in Paris, and which were confirmed by M. de Saligny, his able but injudicious representative in Mexico, believed in the existence of a Conservative party desirous of establishing a firm monarchical Government. The convention of La Soledad had, indeed, committed him to a recognition of Juarez; but he marked his disapproved of the convention by recalling the admiral, Jurien de la Gravière, who had signed it. General de Lorencez, who was now entrusted with the chief military command, was impregnated with the views which inspired the Emperor. From his arrival in the country, therefore, the French, instead of supporting Juarez, openly worked for the victory of his antagonists. General Almonte was allowed to organise a provisional Government, and war was obviously prepared.

The outbreak of war.

Pretexts for war could easily be found in a country which was in a state of disorganisation, and in which guerilla bodies hovered round the French position or interfered with their communications. The actual cause of war, however, was found in the arrangements[1] which had been made for withdrawing from Tehuacan. The French were forced to leave behind them at Orizaba a considerable number of invalids. The Mexicans affected to believe that the French had not merely left behind them men who were too ill to share the hardships of

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 57–65; cf. Mr. Layard's speech in *Hansard*, vol. clxviii. pp. 363, 367.

the march, but a certain detachment of troops for their protection. They called on the French, in peremptory terms, to withdraw this detachment. General de Lorencez, on his part, treated the demand as a threat which compromised the safety of the troops in hospital, and countermanded the order for the retirement; and on the 20th of April, after a short engagement, he re-entered Orizaba.[1] It was no longer doubtful that the convention of La Soledad was torn up, and that the French were in Orizaba by the right of conquest. The war had practically begun.

If the policy of France in provoking war was manifestly unwise, her rashness in undertaking it with the forces at General de Lorencez' disposal was inexcusable. The area of Mexico is some 750,000 square miles; and, for the conquest of this vast territory General de Lorencez had only a handful of 6,000 men at his disposal. He felt, however, no doubt as to the sufficiency of his forces. 'In race, in organisation, in discipline, and in morals,' so he wrote, 'we are so far superior to the Mexicans that, with 6,000 soldiers at my disposal, I am master of Mexico.'[2] Confident in the superiority of his troops, on the 4th of May he arrived at Puebla, which was held by a garrison of 12,000 men. His assault on the following day rudely destroyed his illusions. His little army was almost decimated. General de Lorencez, learning wisdom from experience, and fearing to convert a defeat into a disaster, gave the order to withdraw, leaving the Mexican general to boast that he had defeated the first army in the world.[3]

The check at Puebla.

In the meanwhile, the French at home were viewing with some uneasiness the development of the Emperor's policy. It was no longer doubtful that they were

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 69.
[2] *Ibid.*, p. 70.
[3] The French admit a loss of 500 men out of 6,000 troops engaged. *Ibid.*, p. 75.

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doomed to conduct alone an expedition which they had commenced in association with this country and Spain. A small French force of some 6,000 men was isolated, 5,000 miles away from home, in a comparatively unknown and hostile territory. The Government, indeed, endeavoured to reassure the country by inserting confident paragraphs in the press. 'Our troops,' wrote the 'Patrie' on the 1st of June, 'are advancing triumphantly across Mexico. Puebla has already pronounced in our favour; Mexico will soon follow its example.' This communication, however, was followed by a silence which again aroused a feeling of uneasiness; and this feeling was confirmed on the 15th of June by a paragraph in the 'Moniteur' acknowledging that the troops had been defeated and had retired from Puebla.[1]

The French Government took energetic steps to repair the defeat. The folly of waging war 5,000 miles away from home with a handful of troops was recognised; and it was decided, at once, to despatch an army of 23,000 men to reinforce the French troops, and to place the chief command in the hands of General Forey, who had won distinction in Italy.[2] Difficulties of transport necessarily created some delay in despatching these reinforcements; and, though General Forey reached Mexico in the summer, he was not prepared to resume the offensive till the following February.[3] In the middle of March the French were again before the walls of Puebla; but the place, which had been strengthened in the interval, resisted for two months all the efforts of the French to take it. It only fell on the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 77.

[2] *Ibid.*, p. 82. General Forey was specially instructed to carry out the policy of M. de Saligny. *L'Empire Libéral*, vol. v. p. 409.

[3] De la Gorce, *Hist. du Second Empire*, pp. 89–96. Lorencez, who was the son-in-law of Marshal Oudinot (*Le Secret de l'Empereur*, vol. ii. p. 225), seeing that he had lost the confidence of the Emperor, demanded his recall. 'Lorencez, après le vice-amiral Jurien, était la seconde victime du Mexique.' De la Gorce, *Hist. du Second Empire*, vol. iv. p. 91.

19th of May, after a relieving army under General Comonfort had been defeated in a brilliant little battle by General Bazaine. More than 1,100 men had been killed or wounded in the course of the siege; and perhaps this heavy loss was not the highest price which the French paid for their success. For, if the slow progress of the siege gradually destroyed the confidence which had hitherto been felt in General Forey, General Bazaine's brilliant victory had apparently demonstrated that there was at the least one officer in the French army who was fit to command. And this illusion remained unshattered for another seven years; it ultimately induced the Emperor to entrust, in the hour of his deepest necessity, the sole control of military affairs to the man who had distinguished himself in Mexico, and who was to be associated, at the close of his career, with the greatest military disaster which has ever befallen any modern nation.[1]

Puebla taken.

The fall of Puebla virtually closed the first part of the campaign. Juarez withdrew to more distant portions of the republic, and the French army encountered no resistance in its march on, or in its occupation of, the capital. Once established at Mexico, General Forey hastened to form a provisional Government, at the head of which he placed General Almonte, and which at once decided to restore the monarchy, and to offer the crown to the Archduke Maximilian.[2] In taking this step General Forey undoubtedly carried out the ideas which had influenced the Emperor at the time of his own departure from France; but the Emperor's views had been

The French at Mexico.

[1] De la Gorce says of General Bazaine, 'que l'armée proclama non seulement officier distingué, mais véritable homme de guerre, et qu'elle salua dès lors comme son chef futur.' *Hist. du Second Empire*, vol. iv. p. 104. So little idea had the French Ministry of the difficulties to which they were sending their troops, that at the darkest hour of the siege General Forey received a letter from the Emperor announcing that he had learned from a certain source that the army would encounter no resistance either at Puebla or at Mexico. *Ibid.*, p. 103.

[2] *Ibid.*, p. 109.

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gradually altered as news had reached Paris of the long siege of Puebla. The quixotic enterprise, which had looked so easy in 1861, was eating up men, material, and money in an unexpected and frightful fashion. The Minister of War was urging the Emperor to avoid the expense and the risk of a third campaign: and the Emperor, vibrating as usual from resolution to irresolution, was abandoning his old dreams, and anxious to restrict his ambitious policy. At the very moment, at which General Forey was obtaining the proclamation of a monarchy, he received a despatch from Paris urging him to endeavour to make terms with any authority in Mexico able to rally to the cause of order the parties among which the country was divided.[1] Nor was this despatch the only evidence of the change in the Emperor's views. A change of measures was accompanied soon afterwards by a change of men. M. de Saligny, who had hitherto represented France in Mexico, and who had been foremost in advocating the ambitious policy to which the Emperor had committed himself, was recalled. General Forey, hardly less fortunate, had the satisfaction of receiving his marshal's baton. But the promotion only gilded his disgrace. He was desired to hand over the command to General Bazaine.[2] No policy, no expedition—in so short a period—had ever destroyed so many reputations. Admiral de la Gravière, General Lorencez, M. de Saligny, General Forey—all four men had been the victims of an impossible policy.

The command transferred to General Bazaine.

The few first months of General Bazaine's command were perhaps the most important in the history of the expedition. By rapid military movements he restored something like order to the country; and General Almonte was able to boast that three-fourths of the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 111.
[2] *Ibid.*, pp. 111–113.

territory and four-fifths of the people were acquired to the Empire.[1] The 'Moniteur' declared the pacification of Mexico to be complete. No one, it added, talked any more of Juarez and his peripatetic Government.[2] Everything seemed prepared for the arrival of the new Emperor.

The Archduke Maximilian assumes the Empire.

The unhappy prince, who, from the first, had been destined for this position, was the second son of the Archduke Frederick Charles, and the brother of the Emperor of Austria. He had served with credit in the Austrian navy. He had presided, before the war of 1859, over the Austrian province of Lombardy; and the Italians almost openly declared that his liberal policy and his popular manners were more formidable obstacles to the war of independence which they were meditating than the army of Austria or the fortresses of the Quadrilateral. His own conduct, therefore, seemed to qualify him for a great position. His marriage, in 1857, with the daughter of Leopold of Belgium added another qualification. The character of Leopold, his conduct on his little throne, and his close connection with the Royal Family of this country, inspired a sincere desire for his prosperity and success. In Austria, indeed, the Archduke's friends had the prudence to bid him reflect before he embarked on a perilous enterprise. In this country the public, while extending its friendship and its sympathy, pointed out the grave difficulties which he would have to overcome.[3] The Archduke, however, paid little or no attention to these warnings. Weary of his own position, encouraged by his wife's ambition, he accepted the offer which the Mexicans, or, to speak more accurately, a handful of the Mexicans, under French dictation, made him; and

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 313.
[2] *Ibid.*, p. 325.
[3] See *ibid.*, pp. 320, 321; and *Times*, 7th of October, 1863.

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in May 1864 the new Emperor and his wife landed on the shores of their Empire.[1]

In the first instance, the progress of the new monarch afforded fair promise for his reign. Thanks to General Bazaine and the troops under his command, order had to some extent been established in the Empire. The Mexicans received their Sovereign with hope; and in some places with enthusiasm. The youth and the courtesy of Maximilian and his wife commended them to their new subjects. Maximilian, by his policy, endeavoured to rally to his support not only the Conservatives, who had called him to his throne, but the Liberals, who had been hitherto opposed to him;[2] and throughout the remaining months of 1864 everything seemed to point to the success of the enterprise on which he had rashly embarked. Yet, from the first, difficulties which were in effect insuperable were causing anxiety to those who could look below the surface of the stream. The republican party, though temporarily worsted, was not defeated. In the course of 1865 the Imperial troops were forced to withdraw from positions which they had temporarily occupied.[3] Financial difficulties crippled the military movements; insurrection was not stamped out by the goodwill of the new Sovereign; and Maximilian was at last persuaded to proceed from conciliation to severity, and to punish with death both the republicans, who maintained a guerilla warfare against his authority, and their accomplices.[4]

The hostility of the United States.

A still greater danger threatened the new Empire. The United States had looked from the first with disapprobation at the interference of France on American soil. Before the expedition had been settled, the Government of the great republic had offered itself to redress

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 334.
[2] *Ibid.*, pp. 334–338. [3] *Ibid.*, p. 341. [4] *Ibid.*, pp. 349, 350, 356.

the financial complaints, which Europe was making, by taking over the Mexican debt on being assured a small addition to its own territory. When this solution was rejected, it had refused to join the allies. Mr. Seward, the Secretary of State, had pointedly declared, when the affairs of Poland were under discussion, that, whatever sympathies his Government might feel, it had no wish to mix itself in European politics; and he had implied by his answer that, if the United States abstained from intervention in Europe, it expected Europe to abstain from intervention in America. Two American subjects, moreover, actually chartered a vessel in England, which landed arms and munitions on the Mexican coast for the service of Juarez; and, when the Government of France protested against this conduct, the American Minister in London approved and supported the irregular enterprise.[1] In the beginning of 1864, moreover, the House of Representatives at Washington passed a resolution denouncing the establishment of monarchy in Mexico; in the course of 1865, American territory was openly used as a recruiting ground for the partisans of Juarez, and American authorities declared that it would require all the cavalry of Europe and America to prevent the incursion of armed bands from their own territory into Mexico.[2] During 1864 and the earlier part of 1865, indeed, the Government of the United States was not in a position to do more than display its disapproval of Maximilian's attempt by proceedings of this character. In April 1865, however, Richmond was taken, General Lee was forced to capitulate, and the great Civil War, which had desolated the republic, was terminated by the decisive victory of the North. At the moment, therefore, at which Maximilian's difficulties were increasing, the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 360, 361.
[2] *Ibid.*, pp. 364, 367, 368.

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United States became free to act with more decision. From that moment their policy became more pronounced. They rejected with disdain a proposal of the French Government that they should recognise Maximilian, and they took the extreme course of sending a diplomatic agent to Mexico and of accrediting him to Juarez.[1]

An American agent accredited to Juarez.

In the meanwhile, the French people were becoming weary of an enterprise which was consuming the resources of their country and bringing them neither profit nor glory. The Emperor had fondly imagined that, when a settled Government had been established, Mexico would be able to support itself, and to repay the expenses which France had incurred in the establishment of a new empire; but, instead of repaying the costs of France, Maximilian, in sore stress for money, was applying to Paris for pecuniary assistance. Mexico was becoming a huge wen which was exhausting even the vast resources of the French Empire. The French Legislature, in reluctantly voting further supplies for the expenses of the expedition, was already demanding that it should be terminated; and, in the beginning of 1866, the French Government 'sadly and solemnly' decided on fixing the hour of retreat.[2] The news that France had decided to withdraw came as a crushing surprise to the unfortunate prince whom she had selected for the Mexican throne. In the vain hope of averting disaster, his equally unfortunate wife decided on coming at once to Europe and pleading her husband's cause. She arrived at an unhappy moment. In the beginning of 1866, before she left Mexico, her father, Leopold of Belgium, whose character and whose sagacity gave him an influence which the extent of his dominions would not otherwise have secured to him, died. On her arrival

The Empress of Mexico returns to Europe.

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 370.
[2] *Ibid.*, p. 378.

she found that her brother-in-law, the Emperor of Austria, had suffered a crushing defeat at Sadowa, and was no longer in a position to lend her material aid. Her husband's patron, the Emperor of the French, had fallen on times almost as evil. The drain on his resources which Mexico had caused was preventing him from attempting decisive action on the Rhine; and his counsellors, so far from being prepared for fresh enterprises in America, were regretting the part which their master had taken and which had crippled their resources. Wherever she turned, the unfortunate Empress found no prospect of assistance. The bubble empire, which Napoleon III. had blown into being, had burst.

The conclusion of the Mexican tragedy.

The story was drawing rapidly to a close. The unhappy Empress, seeking help and finding none, distracted by her misfortunes, dismayed at her desertion, became insane. The loss of her reason at any rate saved this new Ophelia—who still awaits her Shakespeare[1]—from acquaintance with the full measure of her griefs. Her husband, left behind in Mexico, awaited in despair the abandonment of his cause by the monarch who had virtually placed him on the throne; for Napoleon, in 1866, was almost as eager to desert, as in 1861 he had been anxious to promote, the cause of Maximilian. His military advisers were telling him that the distant campaign had absorbed his resources, and prevented him from playing the part which policy required. His financial advisers were simultaneously entreating him to withdraw altogether, and to withdraw at once. With that strange indiscretion which frequently marked Napoleon's diplomacy, he decided on sending a personal friend of his own, General Castelnau, on a special mission to Mexico to hasten the

[1] The expression is M. de la Gorce's, *Hist. du Second Empire*, vol. v. p. 147.

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withdrawal, and if possible to persuade Maximilian to accompany the French troops.[1] General Castelnau's mission had this obvious inconvenience. It left Marshal Bazaine in command, and yet practically superseded him. The inconvenience was so obvious that Marshal Randon, when he was informed of the appointment, said that, if he were in Marshal Bazaine's place, he would arrest General Castelnau on his arrival and send him back by the first boat to France.[2] And the inconvenience was the more marked because, by the time of General Castelnau's arrival, everything was apparently in train for carrying out Napoleon's wishes. Marshal Bazaine had withdrawn his troops from the interior, and concentrated them on the coast. Maximilian himself had left his capital, and had retired to Orizaba. There he was evidently contemplating the abdication of his throne, and a return to Europe. But, if his own inclinations were slowly gravitating to the course which General Castelnau had been instructed to press on him, the very fact that General Castelnau advised it raised objections to its adoption. If Marshal Bazaine had been the most loyal of mankind, he could have hardly been expected to work vigorously to secure the success of the man who had superseded him. And Marshal Bazaine had strong inducements to delay Maximilian's departure. He had married a Mexican lady, who was expecting her confinement, and who could hardly be desirous at such a moment to quit the land of her birth, and brave the discomforts of an Atlantic passage. Neither she nor her husband, moreover, could exchange without regret the first position in Mexico for no particular position in Paris. Whether he was influenced by these reasons, or whether he was simply desirous to thwart General Castelnau, Marshal

Maximilian elects to remain in Mexico.

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 99.
[2] *Ibid.*, p. 96.

Bazaine, while nominally supporting his colleague, privately pointed out to Maximilian all the dangers and losses of abdication.[1] His hesitations came with more force because they were supported by advice which Maximilian concurrently received from friends in Europe, who were of course unacquainted with the dangers of his position.[2] At last, the unfortunate Emperor was persuaded to declare that he could not desert the trust which had been confided to him, till he had provided for the safety of his friends and the good government of his adopted country.[3] Such a decision postponed any possibility of his abdication for all time. At the beginning of 1867, he returned to his capital; the French, in the spring of the same year, finally withdraw from the country.[4]

With the withdrawal of the French, the doom of the new Empire was sealed. The Emperor's flag merely floated in isolated places, of which Mexico, Queretaro, Puebla, and Vera Cruz were the only towns of importance.[5] Throughout the rest of the country the authority of Juarez was practically supreme. The men under his orders were occupying every position which the French had abandoned. If the Emperor remained at Mexico, it was evident that his own troops would gradually melt away, while those of his antagonist would gather strength. Safety, so Maximilian was told, lay in action, not in inaction; and accordingly, adopting this view, he left his capital, and moved farther north to Queretaro. There it is possible that he might by rapid movements have struck and destroyed in detail the

He marches to Queretaro.

[1] De la Gorce, *Hist. du Second Empire*, vol. v. p. 104.
[2] *Ibid.*, p. 105.
[3] *Ibid.*, p. 108.
[4] *Ibid.*, pp. 117–123. M. de la Gorce says that Marshal Bazaine associated himself with General Castelnau and M. Dano, the Minister of France, in a memorandum to the Emperor pointing out the necessity of abdication, and that, when M. Dano presented it to the Emperor, Maximilian produced a private letter from the Marshal counselling him to remain, as the only possible course of safety. *Ibid.*, p. 114.
[5] *Ibid.*, p. 123.

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bands of Juaristes which were slowly converging on him. He failed to do so, and, in a few weeks, was practically besieged. Cut off from the outer world, he held out with diminishing resources for two months. He decided, in preference to surrender, to risk the chances of a sortie. But treason deprived him of the last resource which despair supplies to the brave. The enemy, on the eve of the projected sortie, were introduced into Queretaro by one of his own officers, and

Is taken,

Maximilian was forced to yield his sword to his enemy.[1]

The fate of the unfortunate prince was already decided. Five years before, on the eve of the French occupation, Mexico, or such authorities as claimed to represent Mexico, had made death the penalty of invasion of her territory. This law, which had been condemned as cruel when it passed, was revived in the case of Maximilian. A military tribunal, consisting of a lieutenant-colonel and six captains, was created for his trial. Before such judges the fate of the accused could not be doubtful. Maximilian, and two of his counsellors—Miramon, the old rival of Juarez; Méjia, the most successful of his generals—were condemned to death.[2] Europe was too far to make her voice heard in favour of mercy. The United States, or their agents, were too slow in their remonstrances;[3] and on the 19th of June the prince and his two comrades met their death on the hill on which, a month before, the Archduke and Méjia had surrendered their swords.

and is shot.

The death of Maximilian was regarded in contemporary Europe as a murder. History, perhaps, may ultimately hesitate to apply to it so harsh a term, and may look upon it rather as a blunder than a crime. The

[1] De la Gorce, *Hist. du Second Empire*, vol. v. p. 129.

[2] *Ibid.*, pp. 131, 137.

[3] Mr. Seward seems to have been actuated by a genuine desire to save the prince; but his agent lingered at New Orleans, instead of proceeding, in accordance with his instructions, to Mexico. See the history of this episode, *ibid.*, pp. 136, 137; and *Executive Documents*, Washington, 1868, vol. ii. pp. 411–419.

victory of Juarez had been so complete, that he could have afforded to be magnanimous, and at any rate could have avoided the mistake of converting the prisoner into the victim. As a pure question, however, of right and wrong, it is difficult to deny that Maximilian only incurred the fate which is commonly awarded to unsuccessful usurpers, and which he himself had decreed should be reserved for those in arms against his authority. It is, perhaps, in the interest of the human family that the man, who assumes without authority the crown of a foreign country, should know that, in doing so, he risks his life on his venture, and that, should his venture fail, he may be called upon to pay the penalty. Yet the harsh statement of an unpalatable truth need not dry up our pity for the particular victim. Pity, indeed, is almost too mild a term to apply to the feeling which is excited in reading the story of Maximilian. His wife's fate, his own death, are, after all, only moving incidents in the tragedy. The central fact in it is to be found in Paris, and not in Mexico—the true criminal in the Tuileries; and not in Queretaro. The prince, who was shot in America, was the victim; the Emperor, who survived at Paris, was the instigator of the crime.

And the shuttle of destiny was already weaving the warp of fate into the woof of Napoleon's winding sheet. The dream, which the dreamer had dreamed, was dissolved not only in Mexico, but in Europe. The Mexican enterprise had eaten up the resources of the Empire, and had deprived Napoleon of the power to exert his will nearer home. The crowd, indeed, who only recollected the past, still regarded him as the master of many legions, the man on whose will the future of Europe depended; men more intimately acquainted with politics were already perceiving that his power was waning, and that his own faith in his destiny was

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yielding to circumstances. Queretaro only added to the impression which Gaeta had produced. At Gaeta the French fleet had witnessed the siege which it had been powerless to avert, and had ultimately afforded an asylum to the last of the Neapolitan Bourbons. At Queretaro, no French force had been present to sustain the cause of the puppet whom Napoleon had set up. But, while at Gaeta the presence of the French fleet could not conceal the fact that the consolidation of Italy had been effected in opposition to the Emperor's wishes, at Queretaro the withdrawal of the French could not veil the knowledge that the death of Maximilian was the annihilation of Napoleon's policy.

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# CHAPTER IX.

## THE REFORM BILL OF 1867.



The consequences of Lord Palmerston's death.

THE death of Lord Palmerston, in the autumn of 1865, was attended with consequences far larger than those which usually ensue from the fall of one Minister and the rise of another. In ordinary circumstances, indeed, the death of a statesman has small effect upon the course of affairs. In the nineteenth century five Prime Ministers either died, or were incapacitated by fatal illness, while they still held the reins of government; yet, in four cases out of the five, the death of the men had little or no effect on the policy of the country. The principles, by which Mr. Pitt had been guided, were adopted by his successors. The efforts, which Mr. Perceval had made to crown the Peninsular campaign with victory, were continued under Lord Liverpool. The struggle between the two sections of the Tory party, which had commenced under Lord Liverpool, was resumed under Mr. Canning. Mr. Canning's own death, so far from checking his policy, was succeeded by the liberation of Greece and the emancipation of the Roman Catholics. But if, in all these cases, the drift of opinion had proved stronger than any one man, an opposite result followed the death of Lord Palmerston. The Prime Minister, whose experience in office extended beyond that of any of his contemporaries, had succeeded by his mere presence in the Council Chamber in arresting the reforms which, but for him, would undoubtedly have swept on their course. The rule of the middle classes, which the

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first Reform Act had established, had been preserved through his dislike of organic change. The bells, which announced his death, sounded the knell of the ten-pound householder.

The ten-pound householder.

For more than thirty years, the ten-pound householder had been the dominating factor in British politics. His will had decided elections, and had made and unmade Ministries. The country owed much to the manner in which he had used the power which had been entrusted to him. With his consent self-government and reform had been introduced into municipal England; the shackles with which commerce had been fettered had been removed; and, if the conduct of affairs had not been conducted by the people for the people, economical administration had promoted the prosperity of all classes. The ten-pound householder, in fact, had imbued the persons who carried on the government of the country with his own opinions and his own virtues. Without any elaborate knowledge of the principles of government, which had been laid down by Adam Smith and Jeremy Bentham, he had tacitly accepted the conclusions of these men. Enjoying few privileges himself, he had been ready to curtail the advantages which the upper classes, whether in Church or State, still retained. Conscious of the keen struggle for existence, which deprived his life of colour and enjoyment, he had been equally ready to do something to help the struggling poor below him. For the rest, his own success depended on peace abroad and economy at home; and peace and economy became the chief objects of his desire, the chief ends of his rule.

To these virtues the ten-pound householder joined one great defect. He was deficient in imagination. Intent on his private and his public ledger, he had neither the taste nor the time to extend his horizon. He did not pause to think of the responsibilities and oppor-

tunities of a wide and growing empire. So far as he thought on the subject at all, he deplored the expansion of his race. The colonies of England, in his view, were imposing burdens on the mother country which she could ill afford to bear. The example of the United States in the eighteenth century, the troubles in Canada in the nineteenth century, convinced him that they would not permanently consent to remain in nominal subjection to Great Britain. With the dogged determination of the Briton, indeed, he was prepared to carry on the work which his ancestors had thrown on him. For good or for evil, the plough had been placed in his hands, and it had to be driven to the end of the furrow. But to the ten-pound householder the fact was the source of regret rather than of pride. The feelings with which he faced his task were those less of hope than of despair.

The burden of foreign policy was as uncongenial to the ten-pound householder as the burden of colonial government. He saw plainly—much more plainly than his successors—that the first interest of this country was the interest of peace, and that nothing interfered so rudely with national progress as the outbreak of war. The details of foreign policy were, he fancied, beyond his own control; but he had an instinctive perception that peace was to be preserved by a policy of strict non-intervention. There was no occasion for interference in the affairs of other nations. The rise and fall of dynasties on the Continent had no effect on the prosperity of England. Provided that Manchester could find an adequate market for its cottons, Yorkshire for its wools, or Birmingham for its hardware, it mattered little whether a Napoleon or a Bourbon sat on the throne of France, or whether Prussia or Austria held predominance in Germany.

It must not be supposed, however, that the ten-pound

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householder was so constantly intent on his own ledgers as to be incapable of enthusiasm. He had shown in the thirties that he could part even with his money for the sake of freeing the slave. He had shown in the forties that he could be temporarily excited by a panic dread of foreign invasion. He had shown in the fifties that he was prepared to pour out blood and treasure in a cause in which he thought himself right, and in which he imagined that his country had a real interest. 'He had shown in the sixties that his sympathies could be strongly excited in favour of Italians struggling for independence and of Danes struggling against aggression. The Indian Mutiny had only accentuated the lesson, which the wars of Lord Auckland and Lord Dalhousie had taught, that, however much the ten-pound householder regretted the responsibilities of Empire, he was not prepared to cede one inch of territory which his ancestors had conferred on him. As a distinguished novelist said to a great statesman, 'Neither the English public nor the English Parliament likes any policy that gives anything up.'[1]

The ten-pound householder and Lord Palmerston.

It was a singular circumstance that the rule of the ten-pound householder should have culminated in the Administration of Lord Palmerston. Lord Palmerston represented the temporary enthusiasms much more accurately than the ordinary opinions of the middle classes; Lord Palmerston's opinions, in fact, had been formed before the ten-pound householder had been invented. Born in the eighteenth century, introduced into high office before the first decade of the nineteenth century was completed, Lord Palmerston was more in accord with the opinion of the upper classes, who had governed England before 1832, than with the ideas which the middle classes had introduced into Government after that date. Lord Palmerston had preserved

[1] Morley, *Life of Gladstone*, vol. i. p. 615.

the rule of the ten-pound householder for a dozen years, and Lord Palmerston had less sympathy with him than almost any other public man.

With Lord Palmerston, a whole generation of statesmen practically disappeared. Till his death, in 1865, the country had continuously been governed by men who had been born in the eighteenth century. For a short time after his death, it was nominally governed by Lord Russell and Lord Derby, both of whom had been born before the nineteenth century began. But power virtually passed, on Lord Palmerston's death, into the hands of the two men who held the foremost positions on either side of the House of Commons. The interest in British politics, thenceforward, depended on the rivalry of these two statesmen. They engrossed the attention of the public; they dominated the policy of their parties; they stood almost alone, on the eminences which their abilities had erected, amid the inferior or less ambitious men who surrounded them.

Mr. Gladstone and Mr. Disraeli.

No two men ever presented a sharper contrast. Mr. Disraeli, the elder of the two, was by birth a Jew; he was not baptised till he had entered his teens. The son of a distinguished man of letters, he said of himself that he was born in a library; and he began life without the advantages which training in a great public school and a great university has conferred on so many public men. His earliest successes were achieved in literature; his romances, to this day, probably supply the best key to his political opinions; and, extravagant and even vulgar as many of them are, they indicate on every page the ambitious views of their author. 'Books written by boys,' however, as he has himself reminded us, 'which pretend to give a picture of manners and to deal in knowledge of human nature, must be affected. . . . Of such circumstances exaggeration is a necessary consequence, and a false taste accompanies exaggeration.'

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The other of the two men, Mr. Gladstone, was sprung from that upper middle class which had already given Sir Robert Peel to the country. He had distinguished himself as a boy at Eton, and still more greatly as an undergraduate at Oxford; and he had been introduced into Parliament—almost as soon as he was of age—through the influence of a great nobleman. In the thirties everything indicated that Mr. Gladstone, nurtured in a Conservative atmosphere at home, at school, and at college, would rise to a high place, perhaps the highest place, in the Tory party. No one could have foreseen that his rival, who was seeking testimonials from Mr. Hume and Mr. O'Connell, would attain any position of trust; or would, at any rate, attain any position of trust in the Tory camp.

It is ungenerous and illogical to condemn inconsistency in a statesman. In an age of progress, ideas necessarily undergo modification, and it is unfair to expect, when change is the characteristic of everything, that the statesman alone should rigidly maintain the views with which he commenced his career. Both Mr. Gladstone and Mr. Disraeli largely modified their original opinions; but there is a broad difference between the changes which Mr. Gladstone underwent, and the changes through which Mr. Disraeli passed. Except from 1855 to 1859, when he hesitated between the traditions of his youth and the convictions of his maturer years, Mr. Gladstone, like Sir Robert Peel, moved steadily, both in affairs of Church and in affairs of State, to the views which had been advocated in his youth by his political opponents. Mr. Disraeli, on the contrary, shifted from opinion to opinion with the ease of the practised opportunist. Mr. Gladstone's evolution could have been recorded with the regularity with which we mark the rise of a barometer when the atmospheric conditions are favourable. Mr. Disraeli's changes

resembled the alternate ascents and depressions of the mercury in periods of cyclones. Both men, at the close of their life, occupied positions which would have seemed impossible to them at the beginning. But Mr. Gladstone had reached his goal by moving, from first to last, in the same direction. Mr. Disraeli had wandered from point to point, criticising every policy in turn, and adopting or rejecting it, as occasion or opportunity suggested.

Mr. Gladstone was essentially a great member of Parliament. His extensive knowledge, his unrivalled capacity both in exposition and debate, gave him an influence which was enjoyed by few of his predecessors and hardly any of his contemporaries. He believed in parliamentary government, and he relied on the good sense of the House of Commons and of the electors by whom it had been chosen. Mr. Disraeli, on the contrary, had no faith in parliamentary institutions. The Revolution of 1688, he complained, had placed Great Britain under a Venetian Constitution, and had made the Sovereign of England a Venetian doge. While Mr. Gladstone was ever looking forward to a future in which the people of this country would take 'occasion by the hand and make the bounds of freedom wider yet,' Mr. Disraeli was always looking back at the past, and longing to restore the power of the Crown and to diminish the influence of the electorate. Mr. Disraeli's ideas of government, like those of the Third Napoleon, were those of an empire founded on a plebiscite. The one class with which he had no sympathy was the great middle class, which had held power since 1832.

If, in domestic politics, there was a broad distinction between the views of Mr. Gladstone and those of Mr. Disraeli, there was a still wider difference between their foreign policy. With Mr. Gladstone, foreign policy was distasteful; except that he was always ready to give a

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generous support to a people suffering from oppression or struggling for liberty, he would have liked to abstain from interference in the affairs of other nations. War, in his judgment, was the greatest evil which could afflict humanity, and the first duty of a Christian people was so to shape its conduct towards its neighbours as to remove all pretext for war. Mr. Disraeli, on the contrary, had no particular dread of war; he was always ready to embark on it when he thought the interests of Great Britain required that it should be undertaken. On the other hand, he had no fancy for supporting weaker nations in their struggle for independence or freedom. The broader issues of foreign policy had no concern with the aspirations of the Italian, the Greek, or the Pole; and the statesman, who allowed himself to be disturbed by sentimental considerations[1] in these respects, was likely to ignore what Mr. Disraeli thought the higher objects of policy. Mr. Disraeli's conceptions of foreign policy, however, like his ideas of domestic policy, had more regard for the past than for the future. He hardly devoted a thought to the new and greater Britains which were rising in the western and southern hemispheres. His gaze was fixed on the East, from which his ancestors had sprung. Like Lord Ellenborough, he dreamed of Eastern Empire. He made the Queen an Empress; but he made her Empress of India.

There was almost as sharp a contrast between the

[1] 'The sympathies of peoples with peoples, the sense of a common humanity between nations, the aspirations of nationalities after freedom and independence, *are* real political forces; and it is just because Gladstone owns them as forces, and Disraeli disowns them, that the one has been on the right side and the other on the wrong in parallel questions, such as the upbuilding of Germany or Italy. I think it will be so in this upbuilding of the Sclave.' J. R. Green, *Letters*, p. 447. Mr. Green's language is justified by Mr. Disraeli's sneer in 1865: 'In the one country [Naples] the insurgents are called brigands, and in the other [Poland] patriots; but, with that exception, I have not learned from this discussion, that there is any marked difference between them.' *Hansard*, vol. clxx. p. 1486.

eloquence of the two men as existed between their opinions. Both were orators of a high order. Posterity, indeed, which can only read the speeches of the preceding generation, may be tempted to place the finished and incisive utterances of Mr. Disraeli above those of his rival; for Mr. Disraeli may be studied in the closet, while Mr. Gladstone could be appreciated only by those who listened to him. Mr. Disraeli's rapid changes are almost pardoned for the humour with which they are excused by their author; Mr. Gladstone's strong convictions are never enlivened by a humorous touch. Mr. Disraeli's speeches, indeed, were the polished products of a man both of genius and of letters; while Mr. Gladstone relied on the modulations of a matchless voice, on the fire of an impassioned eloquence, on the infection of a striking personality. Men derived an intellectual pleasure from the speeches of the one; they were carried away by the strong convictions of the other. For Mr. Gladstone's eloquence—if Mr. Pitt's striking translation of the Latin may be adapted and applied—was like a flame: it was fed by knowledge, it was fanned by action, and it kindled as it burned.[1]

Both men were destined to a long parliamentary career. Those who approve and those who disapprove Mr. Gladstone's conduct will at least concur in agreeing that he made his mark as a great financier and as a great constructive statesman. As a finance minister he stands among the five great men whom this country has produced, and no one of the other four can be placed before him. As a constructive statesman, he stands almost alone. Men may condemn or approve the disestablishment of the Irish Church, the principles of the Irish Land Act, or the application of Home Rule

[1] Mr. Pitt's extempore translation runs: 'It is with eloquence as with a flame. It requires fuel to feed it, motion to excite it, and it brightens as it burns.' Stanhope's *Life of Pitt*, vol. iv. p. 410.

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to Ireland; but fair men will admit that few statesmen have dealt with subjects of greater difficulty or dealt with them more comprehensively. Mr. Disraeli, on the contrary, devised nothing. He had no power of originating measures; his intellect was essentially critical. Except for his share of the Reform Act of 1867, his name will be connected with no great legislative measure. His chief financial achievement was the imposition of a stamp duty on cheques. His other claims for recollection were that he made the Queen an Empress, and that he purchased the Suez Canal shares.

In the constant struggles, in which the two men were engaged, Mr. Disraeli had one great advantage over his opponent. He was as cool as Mr. Gladstone was passionate. The temperament of the one man led him into constant excesses; the temper of the other was under habitual control. Mr. Disraeli, indeed, availed himself of his own impassibility to irritate and excite his eager antagonist. As the matador stimulates the bull to rush upon him by waving a flag, so Mr. Disraeli delighted to excite Mr. Gladstone by some prepared and measured sarcasm; and, as the matador steps aside to avoid the rush of his infuriated opponent, and transfixes him at the same time with some stinging dart, so Mr. Disraeli avoided the death grapple, but planted some telling wound on his exasperated opponent.

As a statesman, Mr. Gladstone had one great defect. His mind was so subtle that it led him to conclusions on which other men found it difficult to follow him. He had a fatal facility of convincing himself that the course, which he had passionately chosen at the moment, was the right, the only, course which a statesman could adopt. He saw so strongly the reasons for the policy which he pursued, that he was incapable of appreciating the

arguments against it. Most men as they grow older develop a capacity for seeing two sides to every question. Mr. Gladstone, as he grew older, became less and less able to understand the other side. His enthusiasm, in consequence, increased instead of diminishing with his years; the rasher qualities of youth were uncorrected in his case by the sobriety which usually accompanies age. But, though temperament led Mr. Gladstone into many excesses, no one—even among his most pronounced antagonists—could doubt his honesty. They might wonder at the ease with which he persuaded himself that his new opinions were right; they never doubted that he had firmly persuaded himself of their wisdom. The man, as Lord Russell once said of him, might be 'magnificently mad,' but he was at any rate transparently true.

Mr. Disraeli could claim no such merit. He had few deep convictions on the political questions which came before him from time to time. Fate, and not faith, had made him the leader of the Tory party; and he was so intent on the tactics of the political campaign, that he had hardly time to think on the objects for which he was struggling. The one object, indeed, for which he strove, was the strengthening of his own position through the discomfiture of his opponents; for, while with Mr. Gladstone political life was a profession devoted to the prosecution of the common good, with Mr. Disraeli politics were a game of skill, in which he rarely made a false move, and still more rarely failed to profit from the false moves of his opponents.[1] Reticent of opinions, Mr. Disraeli had brooded deeply over the

[1] Lord Shaftesbury said of him, in Hodder's *Life of Shaftesbury*, vol. iii. p. 234: '"He is a leper" without principle, without feeling, without regard to anything, human or Divine, beyond his own personal ambition. He has dragged, and he will continue to drag, everything that is good, safe, venerable, and solid, through the dust and dirt of his own objects.'

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whole field of political science. In his younger days, he was almost alone among politicians in foreseeing the effects on the Conservative party of a democratic franchise. He was one of the first men in England to recognise that in Ireland 'there was a starving population, an absentee aristocracy, and an alien Church;' and, in his later years, he was equally one of the first to appreciate that the growing interest in the colonies —which he had regarded as a sore burden in 1852— would influence politics and possibly make or unmake ministries. But he never threw himself into the task of amending what he thought wrong, or of supplying what he thought deficient. Except from the almost accidental circumstances, which made him embark on the Reform Act of 1867, he did nothing to give effect to his former opinions. He resisted the Irish legislation of Mr. Gladstone, which was the natural corollary of his declared opinions in 1844; and he took no step—perhaps he was wise to take no step—to draw the colonies more closely to the mother country. Mr. Gladstone, on the contrary, had never pondered on the whole political programme. Like Sir Robert Peel, he rarely examined a problem till it was ripe for solution; but, when a great question became urgent, he threw himself into it with an earnestness and an enthusiasm which carried everything before them. His conclusions may have been right or wrong; but they were adopted with a faith which made him blind for the time to the arguments on the other side, and which, if a modern word be permissible, almost hypnotised the people. In one sentence, Mr. Disraeli was a man of thought; Mr. Gladstone a man of action.

It ought to be added that, from 1859 to 1865, Mr. Disraeli had led, with consummate ability, a party, which disliked him as a man, and distrusted him as a leader; and, in those six years, he had, on three

separate occasions, rendered a service to the United Kingdom and to the British people, the importance of which it is difficult to exaggerate. In the first place, when men of all parties were alarmed at the ambitious projects of the Emperor Napoleon, and when these alarms were inflamed by the utterances of the Prime Minister, Mr. Disraeli consistently laboured to remain on good terms with France. He appreciated the position of the Emperor, and the importance of the French alliance, much more clearly than his opponents. In the next place, when the panic dread of a French invasion led to a demand for new fortifications and fresh expenditure on armaments, Mr. Disraeli struggled, almost more consistently than Mr. Gladstone himself, for economy in administration. He saw, more clearly than almost any other leading statesman, that the strength of the country lay not in increased armaments, but in its growing resources; and that, if these resources were squandered in time of peace, they would not be available in war. He declared, in a passage, which ought to be inscribed in letters of gold, that the power to raise the income tax in an emergency was a far more formidable weapon than any which increased fleets or armies could supply.[1] And, in the third place, when many of his own friends were clamouring for the recognition of the Confederate States, Mr. Disraeli never suffered himself to depart from the attitude of strict neutrality which he maintained from the beginning and preserved to the end of the great American Civil War.[2] It may be broadly stated that, through the four anxious years of the struggle, he never uttered a single phrase to which any American

[1] *Hansard*, vol. clxii. p. 1316.

[2] I need hardly add Mr. Bright's just and well-known testimony. 'If I were to give advice to the honourable gentlemen opposite, it would be this: learn from the example set you by the right honourable gentleman. He, with a thoughtfulness and statesmanship which you do not all acknowledge, he did not say a word from that bench likely to create difficulty with the United States.' *Ibid.*, vol. clxxvii. p. 1619.

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statesman could take exception. These services were the more conspicuous because, on each subject, Mr. Disraeli was acting in opposition to the majority of his party. His followers, as a body, distrusted the French Emperor, approved expenditure on armaments, and would have welcomed the intervention of England in the American Civil War; and it is largely due to Mr. Disraeli's good sense in these matters that the Conservative party abstained from action which might have won applause at the moment, but which would have inspired the regret of posterity. It is perhaps dangerous to make a generalisation which, in the case of either man, can only be accepted with reserve; but it is not wholly inaccurate to say that Mr. Gladstone shone in office and failed in opposition, while Mr. Disraeli shone in opposition and failed in office.

In private life both Mr. Gladstone and Mr. Disraeli bore characters above reproach. In public life Mr. Gladstone's conduct was as high-minded as his genius was eminent. It would be ungenerous to say that Mr. Disraeli was intentionally false; but he habituated the public to look with suspicion on what he said and on what he did. He loved mystery; and he liked to choose words calculated to conceal rather than express his thoughts. The public were so accustomed to his ambiguous utterances, that they discounted and excused them. They condoned things in Mr. Disraeli which they would not have forgiven in any other public man. Constitutional statesmen, however, who indulge in such practices, should not be shielded from criticism. Posterity will do well to recollect that Mr. Disraeli, by his mysterious inaccuracies, lowered the standard of public life; while Mr. Gladstone never mingled in debate without raising its tone.

Such were the two men who from 1865 held the first places in the public eye. Nominally, indeed, each

of them only held a lieutenant's commission. Lord Russell was Prime Minister of England; Lord Derby was the leader of the Conservatives. But Lord Derby and Lord Russell were incapacitated by age and position from taking the chief part in debate. The fight had to be fought on the floor of the House of Commons; and the interest necessarily centred on the two gladiators who watched each other night after night across the floor of that House.

Lord Russell and reform.

The issue on which the struggle would take place was not doubtful. The new Prime Minister had been one of the chief authors of the original Reform Act. He had never lost his interest in reform. He had himself introduced new Reform Bills, both on the eve of the Crimean War and in the earlier months of Lord Palmerston's Administration. It was no secret that he thought that the truce, which had been established during Lord Palmerston's life, had been terminated with his death, and that the Liberal party must again adopt a policy of progress. With this object in view, Lord Russell desired, though he failed, to effect some considerable changes in the Cabinet. Few Ministries, indeed, had ever been subject to larger modifications than the Administration which had been formed by Lord Palmerston in 1859. But the changes which had been made in it had weakened it in the House of Commons. It had lost in that House Lord Palmerston, Lord John Russell, Mr. Sidney Herbert, and Sir G. C. Lewis, and it had not gained a single recruit. It has already been stated in this history,[1] that, on its first formation in 1859, only six of its sixteen members were Peers; at the time of Lord Palmerston's death, no fewer than eight out of its fifteen members were Peers. But, though it was obvious that the Cabinet required increased strength in the

[1] *Supra*, vol. i. p. 517.

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House of Commons, Lord Russell soon discovered that nothing is more difficult than to reconstruct a Ministry. In the months, however, which ensued before Parliament met, he succeeded in introducing Mr. Goschen, who had already achieved a reputation in the City, to Cabinet office; and in promoting Lord Hartington, whose birth and whose ability marked him out for distinction, to be Secretary of State for War.

The first duty of the reconstructed Government was apparently to devise a new measure of organic reform. But it so happened that, while the thoughts of the Cabinet and its new chief were directed to this task, the attention of the public was diverted to domestic and colonial subjects of pressing importance; for, in the summer of 1865, a terrible disease suddenly broke out among the cattle of the United Kingdom; while, in the autumn, during the days in which Lord Palmerston lay on his death-bed in Hertfordshire, a grave insurrection suddenly occurred in Jamaica.

The insurrection in Jamaica.

The condition of Jamaica has left its mark on the history of the Whig party in the nineteenth century. In the first years of Queen Victoria's reign the passing by the Imperial Parliament of a measure to regulate the prisons of the island had produced a crisis, which had led to the resignation of Lord Melbourne's Government, and to the suspension of constitutional government in the colony. Since 1839 the progress of the island had not been free from interruption. The planters complained that its prosperity had been destroyed by the abolition of slavery, and by their consequent inability to compete with the sugar-producing countries in which slavery was still legal. Distress at any rate existed; large quantities of land changed hands; and the white population, or many white people of a superior class, left the island. But, while Parliament on frequent occasions had directed its attention to the distress of the whites,

and to the effect which the various alterations of the sugar duties had on their fortunes, it took little or no notice of the seething discontent which prevailed among the negroes. These men had various grievances. They complained of the rent which they were charged for their holdings, and asserted that in some cases they had the right to occupy their land rent-free; they complained of the low rates at which their services were remunerated; and they declared that the tribunals, before whom all disputes between employers and employed were tried, were composed of magistrates from whom it was hopeless to expect that any negro servant could obtain an impartial decision. So far as two of these three complaints were concerned, a good deal could be said on the side of the planters. A vague aspiration that land should be given free of rent was not peculiar to Jamaica; the low rate of wages was partly attributable to the reluctance of the negroes to work for more than a very limited time; but, so far as the last grievance was concerned, there was no doubt that the composition of the only tribunals, before which disputes could be settled, placed the negroes under a great disadvantage. The exceptionally able commission, which subsequently investigated the causes and the circumstances of the revolt, declared that 'it was not to be expected that, constituted as the bench of magistrates at present is, it would have the confidence of the labourers.'[1]

The grievances of the negroes.

The words of the commissioners, which have thus been quoted, are of exceptional importance because, as a matter of fact, the disturbances began with a riot in a court of justice. On Saturday, the 7th of October, 1865, a court of petty sessions was held at Morant Bay, on the south-east of the island. The magistrates

[1] See the report, *Parl. Papers*, 1866, vol. xxx. p. 497. The passage quoted is on p. 18 of the printed report.

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had before them several cases, including an ordinary case of assault, and a more serious action against the occupier of a holding in the neighbourhood for non-payment of rent. A large number of negroes was present to watch the latter case; and, when the defendant in the former case was condemned to pay a fine with costs, a man in the court named Geogheghan urged him to pay the fine and refuse to pay the costs. The magistrates naturally ordered Geogheghan to be brought before them; and a riot ensued, in which the police were worsted. On the following Monday warrants were issued for the arrest of some of the persons engaged in the riot, and on the Tuesday the police, attempting to arrest a man named Paul Bogle, at a place called Stony Gut, a negro settlement near Morant Bay, were overpowered and made prisoners by a large body of coloured rioters. They were only released on taking an oath that they would henceforth 'join their colour' and 'cleave to the black.'

The riots in Morant Bay.

The scene of these disturbances formed part of the large district or parish of St. Thomas-in-the-East; and the custos of the parish called out the local volunteers, and wrote to the governor of the island for assistance. Protected by the volunteers, the vestry of the parish met on Wednesday, the 11th of October, in the courthouse at Morant Bay. During its sitting news was brought that a large crowd of people, which had attacked the police station, and seized such arms as they could procure, was advancing on the courthouse. The volunteers retired before the mob, and the custos of the parish proceeded to read the Riot Act. While he was reading it, the captain in command of the volunteers was struck on the head by a stone, and, with the authority of the custos, gave the volunteers orders to fire. The mob, thereupon, attacked the volunteers,

some of whom were disarmed; the remainder, with the magistrates and the members of the vestry, took refuge within the building.

The mob, having gained this preliminary advantage, proceeded to more serious measures. With a cry of 'Go and fetch fire!' 'Burn the brutes out!' they set fire to a school which adjoined the courthouse. The flames spread from the roof of one building to the roof of the other; and the inmates of the courthouse were forced to escape as best they could. The evening had now come; and the growing darkness favoured their flight. But the mob searched for the refugees in their hiding places, and beat to death those whom they found. Eighteen persons were killed, and thirty-one others wounded, by the rioters; and the town remained in their possession.

The Governor of Jamaica, Mr. Eyre.

The governorship of Jamaica was at that time held by a gentleman, Mr. Edward John Eyre,[1] who had served, in former times, as a magistrate and a protector of the native races in Australia, who had subsequently been appointed to the governorships of New Zealand[2] and of the Leeward Islands, and who enjoyed the reputation of a just and humane man. On the first news of the disturbances, he, at once, gave the necessary directions for the despatch of a hundred men from Kingston to Morant Bay; and the troops arrived in time to save the town from any repetition of the graver disorders which had occurred on the 11th. On the more serious intelligence of the attack on the courthouse, additional

[1] The story of Mr. Eyre's life has been written by Mr. Hamilton Hume, London, 1867. No one can read the account of Mr. Eyre's early travels in Australia without forming a high opinion of his courage and endurance. See especially pp. 46–93. Mr. Eyre himself published an account of his remarkable journey in Australia. See *Discoveries in Central Australia*, by E. J. Eyre.

[2] He was made Lieutenant-Governor of New Zealand, after his travels in Australia, in 1846 (Hume's *Life of Eyre*, p. 96), of St. Vincent in 1853, and of the Leeward Islands in 1859. *Ibid.*, p. 101.

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troops were ordered to march from Newcastle, a town situated to the north of Kingston, to intercept the spread of the insurrection to the west. These measures were designed, therefore, first to re-establish order in the disturbed district, and second to prevent the spread of disorder to other parts of the island. The Governor, in addition to these precautionary measures, determined, on the advice of his Privy Council, to place the insurgent district under martial law. The precise manner, in which martial law could be proclaimed, had been defined by an act of the local legislature. The Governor followed the directions of the Act; and the whole county of Surrey,[1] with the exception of the town of Kingston, was placed under martial law on the 13th of October.

Martial law proclaimed.

Up to this point, there can be little doubt that the Governor's proceedings had been marked by both energy and judgment. In face of a serious riot, which possibly might have developed into a still more serious insurrection, he had taken every means in his power to restore order, and to protect life and property. In proclaiming martial law, indeed, he had resorted to the strongest machinery which authority has at its disposal. But, though this weapon should undoubtedly be reserved for cases of the most serious emergency, the friends of Mr. Eyre have a right to claim that the commissioners, who inquired into the whole circumstances, thought that the Council had been right in the advice which they gave, to resort to martial law, and that Mr. Eyre was well justified in acting upon that advice. Unhappily, it is impossible to pass a similar judgment on the subsequent proceedings. The troops engaged in restoring order acted, too often, as if their

Severe measures of repression.

[1] Jamaica is divided into three counties: Surrey on the east, Middlesex in the centre, Cornwall on the west of the island. As a matter of fact, the disturbance was confined to a comparatively small portion of the county of Surrey.

chief object were to kill and to destroy. The court-martials, which tried the prisoners, convicted them, in many cases, on evidence, which it is almost an insult to call by that name. The executions were far more numerous than the circumstances justified, and were protracted after the disturbances had been put down, and when the ordinary course of law might have properly been resumed. Many persons, moreover, were put to death without the formality of even such a trial as martial law provides; persons against whom even a court-martial could not return a sentence of death were flogged wholesale. At one place the floggings were administered with a refinement of cruelty which it is painful to record. 'Wires were twisted round the cords, and the different tails so constructed were knotted.' The commissioners, who reported these facts, declared that it was painful to think that any man should have used such an instrument for the torturing of his fellow-creatures. 439 people were put to death, and 600 people were flogged, during the continuance of this reign of terror. But the repressors were not content with revenging insurrection by wholesale executions and floggings. They set themselves to destroy native huts and native villages. The rioters at Morant Bay had burned two houses. British officers engaged in the work of repression destroyed 1,000 native houses. They burned the houses of many natives who were not even suspected of complicity in the disturbances.

It is lamentable to add that the language of British officers charged with the work of repression was gravely reprehensible. Some of them spoke and wrote of the serious and responsible duties in which they were engaged in a 'tone of levity' which elicited an expression of regret from the commissioners who investigated the circumstances. It is not too much to say that they wrote of the shooting of negroes as they might have

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written of the shooting of rabbits, and that many of them seemed quite incapable of realising that men who happened to be black, and who were the subjects of the Crown, were human beings like themselves, whom it was their duty to punish if they were guilty, but to protect if they were innocent. Grave and guarded as was the language in which the commissioners summed up their conclusions, the final sentences of their report unfortunately leave no room for doubt on this subject. 'The punishments inflicted,' so the commissioners wrote, 'were excessive. The punishment of death was unnecessarily frequent. The floggings were reckless, and at Bath positively barbarous. The burning of 1,000 houses was wanton and cruel.' These sentences, it should be recollected, are not taken from a newspaper report: they are the deliberate and measured words of a tribunal specially competent to express a judicial opinion.

Something may, no doubt, be forgiven in young officers suddenly called upon, in a moment of excitement and panic, to exercise new and unusual duties. The same excuse cannot be extended to the Governor of the island. Mr. Eyre, it has already been stated, had acted with prudence and energy in the original steps which he took to put down and limit the insurrection. It is impossible to accord similar praise to his later proceedings. Martial law had been proclaimed on the 13th of October. On the 23rd, Paul Bogle was arrested, and it was 'clear to all that the rising in St. Thomas-in-the-East was put down.' There was no real reason why the ordinary course of law should not have been resumed. On the 30th of October the Governor formally stated that the wicked rebellion lately existing in certain parts of the county of Surrey had been subdued, that the chief instigators thereof and actors therein had been visited with the punishment due to their heinous offences,

and that the inhabitants of the districts lately in rebellion were desirous to return to their allegiance. From that day, at any rate, there was not even the shadow of excuse for the suspension of the ordinary course of law. Yet Governor Eyre took no steps to terminate martial law, which was suffered to remain in force for the full period of thirty days allowed by the statute. The grave evil of martial law, which, in the language of the commissioners, 'almost precluded a calm inquiry into each man's guilt or innocence,' was continued, therefore, probably for three weeks, certainly for fourteen days, beyond the period during which it was possible to justify it. It is lamentable to add that, while, during the whole time, the lives, the liberty, the property of thousands of the Queen's subjects were at the mercy of young and inexperienced officers, no clear and precise instructions were given to those officers; none of them were made to understand that they would be held responsible for their actions. It was not reasonable, so wrote the commissioners, and history will confirm their judgment, 'to send officers upon a very difficult and perfectly novel service without any instructions, and to leave everything to their judgment.'[1]

The continuance of martial law.

While news of these proceedings caused a thrill of surprise and pain in England, attention was even more keenly directed to the case of one particular individual. Mr. George William Gordon was a man of colour; he was the owner of a considerable, though involved, estate, and he enjoyed an exceptional influence among the black population. Mr. Gordon had no particular reason for any warm friendship for the British Government. His property adjoining Stony Gut had procured for him the office of churchwarden in the parish of St. Thomas. His conversion to the Baptist faith had, it was alleged,

The case of Mr. Gordon.

[1] See, for the statements in the last two paragraphs, the Commissioners' Report, *Parl. Papers*, 1866, vol. xxx. pp. 39–41.

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disqualified him for the office; and, for some years before the insurrection, he had been engaged in a series of lawsuits with the custos of the parish, Baron Ketelhodt, respecting his qualification. In accordance with the practice of the island—a practice which Mr. Gordon could hardly be expected to approve—Baron Ketelhodt's expenses in these actions had been defrayed by the Government, while Mr. Gordon's costs had fallen upon himself. There was no doubt that, for some time before the insurrection, Mr. Gordon, both in public and in private, had used strong and indefensible language respecting the Governor, the British connection, Baron Ketelhodt, and other persons. There was also no doubt that he was in close communication with Bogle, and that, in the riots which occurred at Morant Bay, Baron Ketelhodt and persons obnoxious to Mr. Gordon were killed, while some others, who were supposed or claimed to be his friends, were spared. The commissioners, who spent much pains in investigating the whole circumstances of Mr. Gordon's case, themselves thought that Mr. Gordon's own explanation was the correct one: that he had gone as far as he could safely go; and that, while he had avowedly done much to encourage disaffection, he had carefully refrained from connecting himself with any overt act of insurrection.[1]

Mr. Gordon's arrest.

At the time at which the disturbances took place, Mr. Gordon was living on his property, Cherry Garden, in the neighbourhood of Kingston. On the 14th of October, the day after martial law had been proclaimed, he left Cherry Garden, with his wife, to pay a short visit at Kingston. His name was already 'associated with the authors of the disturbances,' and, on the 17th of October, having been sought for by the police without success, he went to the house of the major-general in command 'to give himself up. There he was shortly afterwards met

[1] *Parl. Papers*, 1866, vol. xxx. pp. 37, 38.

by Governor Eyre and the custos of Kingston, and by their orders arrested.' There were ample grounds for this arrest; but, as Kingston had been specially excepted from the proclamation of martial law, it was the obvious duty of the Governor to place his prisoner on trial before the ordinary courts. By an indiscretion, which in a man of Mr. Eyre's experience is astounding, the Governor did not take this course. Instead of directing Mr. Gordon's trial at Kingston, he removed him by sea to Morant Bay, and placed him on trial before a court-martial. By a strange neglect of form, the court was illegally constituted. It was neither a naval nor a military court, but consisted of officers drawn from both services.[1] But the irregularity in constituting the court was only one of the irregularities unfortunately committed. Mr. Gordon was charged with high treason and with complicity in the riots. The evidence against him was partly oral and partly documentary. The documentary evidence largely consisted of the depositions of persons living in Jamaica at the time of the trial, and who ought consequently to have been summoned to give oral evidence. Many of these written statements had been taken 'in the absence of Mr. Gordon, and were inadmissible as evidence according to the rules that regulate evidence in English courts, either civil or military.' But even this evidence, irregular as it was, appeared to the commissioners 'wholly insufficient to establish the charge upon which the prisoner took his trial.' It was, unhappily, amply sufficient to satisfy the three officers before whom Mr. Gordon was tried. They found him guilty, and sentenced him to death. The brigadier, in approving the sentence, said that, as the next day was

[1] See Lord Chief Justice Cockburn's remarks in his judgment, *Ann. Reg.*, 1867, Chron., p. 239, and on p. 123 of his reprinted judgment, London, 1867. The reader, who wishes to see the other side of the subject, may care to be referred to Finlason, *Commentaries upon Martial Law*, with an introduction containing comments upon the charge of the Lord Chief Justice in the Jamaica case, London, 1867.

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Sunday, he proposed to defer executing it till eight o'clock on Monday morning. The slight delay enabled a reference to be made to the Governor, who at once expressed his concurrence in the justice of the sentence, and on Monday, the 23rd of October, Mr. Gordon was hanged.[1]

The news reaches England.

News of these deplorable events reached England in November 1865. It was received with consternation. The accounts of the proceedings which had been taken to suppress the insurrection were necessarily contained in the reports of Governer Eyre himself and of the officers acting under his orders; and the manner in which these men spoke of the shooting and flogging of negroes, and the burning of negroes' houses, shocked the public conscience. Mr. Eyre's own share in the proceedings, and above all his treatment of Mr. Gordon, excited still stronger feelings. The gross illegality of arresting Mr. Gordon in Kingston, and of carrying him into a district where martial law was in force, was at once detected; while the hurry of his subsequent trial, and the indecent haste of his execution, were equally condemned. Many of the best and foremost men in England formed themselves into a committee for the express purpose of determining what course should be taken to bring Mr. Eyre to justice. Mr. Mill, who had of late years represented the city of Westminster in Parliament, consented to preside over the committee. Mr. Huxley

The Eyre Committee.

[1] In this account, I have closely followed the reports of the Jamaica Commission, *Parl. Papers*, 1866, pt. 1, vol. xxx. p. 493. The history of the insurrection will be found on pp. 10-18; the measures for its suppression on pp. 18-26; the summary of the punishments on pp. 25, 26; Mr. Gordon's case on pp. 28-38; the commissioners' conclusions on pp. 40, 41; the explanation by the military officers of their indecent language in papers laid before the commissioners by Governor Eyre. *Parl. Papers*, 1866, vol. xxxi. p. 279 *et seq.* A report of Mr. Gordon's trial will be found in the minutes of evidence taken before the commissioners, vol. xxx. p. 277 *seq.* These very voluminous blue books contain altogether 1,700 closely printed pages. The report of the commission is reprinted *in extenso* in *Ann. Reg.*, 1866, Chron., pp. 273-305. For Mr. Eyre's despatch relating to the rebellion, and the subsequent correspondence, see *ibid.*, 1865, Chron., p. 277 *seq.*

and Mr. Herbert Spencer were among the distinguished men who joined Mr. Mill.[1] On the other hand, large numbers of men, of equal distinction in literature and politics, formed themselves into another committee to defend the Governor. Mr. Carlyle gave the weight of his great authority to this movement. He was joined, among others, by Mr. Tennyson, the Poet Laureate, and by Mr. Ruskin. Thus the passions, which the insurrection and its suppression had provoked, ranged some of the foremost men in England, many of whom usually held aloof from active politics, into two camps: one composed of men who were ready to forgive anything in the ruler who had restored the authority of the Crown in a moment of grave danger; the other consisting of persons who could see no excuse for the irregularities and cruelties with which the rising had been stamped out.

Face to face with the agitation with which the country was thus disturbed, the Ministry decided temporarily to suspend Mr. Eyre from his functions, and to send out a commission to Jamaica to inquire into the whole facts concerning the rising and its suppression. It selected for the chairmanship of the commission an officer, Sir Henry Storks, who had held high office as Secretary of Military Correspondence in the War Office, and who had subsequently served as Governor of Malta. It associated with Sir H. Storks, Mr. Russell Gurney, the Recorder of London, and Mr. Maule, the Recorder of Leeds. It would have been difficult to constitute a more satisfactory tribunal. Its report, when it was ultimately made, carried increased weight

[1] It is said that, at the first meeting of this committee, the members sat for some moments in silence, each hesitating to be the first to open the attack. One of the younger members at last broke the silence by saying, 'This is the heir (Eyre); come, let us kill him.' In J. R. Green's letters, I see this saying attributed to Lady Cranborne (Lady Salisbury); see p. 185. There are some excellent letters on this committee in the *Life of Huxley*, vol. i. pp. 278–283.

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from the reputation of the gentlemen who signed it, and the temperate dignity of the language in which it was couched. Many men, even among those who had originally been disposed to forgive much in a ruler who had met a great crisis with firmness, were unable to answer the formidable indictment which the commissioners had virtually brought against Mr. Eyre and the officers who had served under him.

While, however, the great majority of people deplored the cruelty with which the insurrection had been punished, and felt that the Government had exercised a wise discretion in suspending Governor Eyre, the minority, which was represented by the Eyre Committee, considered that still stronger measures should be taken to mark the sense of the country. On the refusal of the Government to institute proceedings, they accordingly decided to prosecute Mr. Eyre and the officers who acted under his orders. Mr. Eyre was residing in his retirement near Market Drayton, and the committee applied to the neighbouring magistrates for a warrant for his arrest on a charge of being accessory to murder. The magistrates granted the warrant, but declined to send the case for trial, on the ground that the evidence did not raise a strong or probable presumption of guilt. Almost simultaneously the committee instituted proceedings against General Nelson (who had commanded the troops in Jamaica, and who had appointed the court-martial before which Mr. Gordon had been tried) and Mr. Brand, a naval officer, who had presided over the court. The stipendiary magistrate, before whom the charge was made, committed these officers to take their trial. The grand jury, however, notwithstanding a luminous charge from the Chief Justice of England, refused to return a true bill; and the proceedings, in consequence, terminated.[1]

Criminal proceedings instituted.

[1] *Ann. Reg.*, 1867, Chron., pp. 37, 38, 225.

This somewhat illogical conclusion of a heated controversy was, perhaps, the best solution of it which was possible. Nine persons out of every ten, who thought that Mr. Eyre had acted with extraordinary indiscretion, had no desire to see him tried for his life. They recognised that he had been placed in a position of difficulty, and that he had committed the error, which weak men are too apt to make, of mistaking severity for firmness. But they also saw that cruelty in itself had no part in his nature; and that, in all that he had done, he had been animated by a desire to maintain the authority of the British Crown. If, then, they had no wish to cover the bald place on his brow with the laurels of approval, they were anxious to avoid its unnecessary exposure. His removal from his high office, a tacit understanding that he should never be employed again, seemed to them punishment enough for the errors which they deplored, but which they did not wish to mark with the brand of a criminal verdict.

If this was the opinion of the great majority of the people, the minority, who had desired stronger action, was not wholly dissatisfied with the results which had been achieved. The steps, which the Eyre Committee had taken, had given a warning which gentlemen in Mr. Eyre's position were not likely to disregard. It had been shown, once for all, that men in positions of great responsibility would be held amenable for their conduct, and would have to answer before juries of their fellow-countrymen for any excesses which they might commit in carrying out their duties. It was felt, moreover, that, if the prosecutions had failed, something had been gained by the Lord Chief Justice's charge. Never before had the country so clearly understood that martial law, in its application to the civil population, was a negation of all law, and repugnant to the principles of the law of England. In Jamaica, indeed

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the existence of a statute authorised, in cases of grave emergency, the supersession of the civil courts. But then it was also shown that an exceptional remedy could only be applied so long as the exceptional circumstances, which justified its introduction, endured. It was shown, too, that the supersession of the ordinary courts, by military or special tribunals, did not justify the officers composing courts-martial in departing from the ordinary rules which govern judicial proceedings. Evidence which would be rejected in any civil court could not—so it was shown—be accepted as good enough for a court-martial; and men arrested in places not under martial law could not be arbitrarily removed for trial to places where martial law was in force.[1]

At the time, at which these disturbances took place, the attention of the Ministry and of the public was directed to two things nearer home; for, in the autumn of 1865, the Fenian movement in Ireland suddenly assumed dangerous proportions, and at the same time British agriculture was threatened with an almost irre-

[1] So strong was the feeling against martial law, that, in January 1867, Lord Carnarvon, as Secretary of State for the Colonies, issued a circular to the governors of Crown colonies, desiring them to submit to their legislatures Bills 'repealing so much of the law as authorises the proclamation of martial law.' *Parl. Papers*, 1867, vol. xlix. p. 395. On the other side, the literary reader may like to be reminded of Mr. Carlyle's indignant denunciation of the Lord Chief Justice's charge. See 'Shooting Niagara, and After,' in *Misc. Essays*, vol. vi. p. 351; and cf. Sir H. Taylor's *Autobiography*, vol. ii. p. 254 *seq.* It is curious to reflect that Mr. Carlyle's argument —'Anterior to all written laws, and first making written laws possible, there must have been, and is, and will be, coeval with human society, from its first beginnings to its ultimate end, an actual martial law, of more validity than any other law whatever'—is practically a reproduction of the decision in the Hampden case, 'that no statute can bar a king of his regality; that statutes taking away his royal power in defence of his kingdom are void; and that the king has an absolute authority to dispense with any law in cases of necessity, and of this necessity he must be the judge.' See, *inter alia*, Morley's *Cromwell*, p. 65. It may be added that, in 1872, Mr. Gladstone asked Parliament to repay Mr. Eyre the heavy expenses which had been thrown on him in defending himself against these prosecutions; and that the vote was carried by a considerable majority. *Hansard*, vol. ccxii. pp. 798–853.

parable disaster, in the wholesale destruction of its herds through the outbreak of a new plague.

1865.

The cattle-plague of 1865.

On the 24th of June, 1865, two Dutch cows, which had been purchased in the Metropolitan Cattle Market by a cowkeeper residing in Lambeth, were attacked with disease. Three or four days afterwards three English cows, bought in the same market on the same day by dairymen living at Hackney and Islington, were similarly affected. The 'plague' broke out immediately afterwards in many parts of London. At the beginning of July it appeared in Norfolk. The cattle in other counties soon caught the infection; and, in the middle of October, the disease had extended to twenty-nine counties in England, to two in Wales, and to sixteen in Scotland. Before the end of the following January more than 120,000 cases of the disease had been officially reported to the Government, and the reports did not profess to do more than deal with those cases which had happened to come under official notice.

There was little doubt that the disease—the cattle plague, as it was popularly called—was identical with the rinderpest, or steppe murrain, which had long been known on the Continent. It seems probable that the same plague had visited this country in the fourteenth and towards the close of the fifteenth centuries, that it had made 'a brief inroad in 1715, which had been promptly expelled,' and that it had renewed its attack in 1745 and held its ground till 1757. During the latter outbreak several hundred thousand cattle are known to have been destroyed; indeed, in the third year alone, 80,000 cattle were slaughtered under the authority of an order in council, and far larger numbers perished of the disease.[1]

[1] See the First and Second Reports of the Commissioners appointed to inquire into the Origin and Nature of the Cattle Plague, *Parl. Papers*, 1866, vol. xxii. pp. 1 and 227.

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Two characteristics of the disease were soon established: in the first place, it was proved to be highly contagious—in many cases the whole herd, in which it appeared, was attacked by it; and, in the next place, it was very fatal. One of the most eminent medical men in London declared it to be 'absolutely incurable;' and, though a small percentage of the animals attacked by it recovered, there seems to be little doubt that none of the animals seized by it owed their recovery to the medical treatment applied to them.

The Cattle Plague Commission.

So soon as the fatal nature of the disease, and its rapid spread, became apparent, the Government decided on appointing an unusually strong commission to investigate its origin and its nature, and to make any recommendations for its prevention and its cure. The commission included among others a great nobleman, Lord Spencer, who took a keen interest in the breeding of stock; two eminent members of the House of Commons, Lord Cranborne (better known as Lord Salisbury), and Mr. Lowe; a representative agriculturist, Mr. Read; a chemist of repute, Mr. Lyon Playfair; and two of the foremost members of the medical profession, Dr. Bence Jones and Dr. Quain. Working with exceptional speed, the commission, which was only appointed at the end of September, was able to make its first report at the end of October. Unfortunately, it was unable to arrive at a unanimous conclusion. The majority of the commissioners thought the crisis so acute, that some high officer of the Government should at once be invested with the power of suspending all movement of cattle throughout Great Britain. The minority, which included Lord Spencer, Lord Cranborne, Mr. Read, and Dr. Bence Jones, considered this proposal impracticable. 'It would involve,' they wrote, 'an interference with the course of trade at variance with our national habits, and it would demand sacrifices from large numbers of people who

are removed from the presence of the disease, and who will therefore not see the necessity for so stringent a measure. The sudden transformation of the enormous cattle trade, by which the large towns are supplied, into a dead meat trade would involve difficulties and dangers of the most formidable kind.' Instead, therefore, of the more stringent recommendation, which the majority of the commissioners had made, the minority recommended that the sale of lean and store cattle at fairs and markets should be stopped, that cattle sold for food should be slaughtered within a short period after the sale, and that the movement of live stock should be placed under the control of the local authority.[1]

In the first instance, the country was much more disposed to agree with the minority than with the majority of the commissioners. Mr. Lyon Playfair, indeed, who had been the leading advocate of extreme measures, declared that 'never was the report of a royal commission received with such indignation and contempt. Every newspaper in the country ridiculed the report, and attacked those commissioners who were known to constitute the majority in favour of extreme measures.'[2] The pressure of public opinion, and the weight of the men who composed the minority on the commission, induced the Government to reject the advice of the majority, and regulations were passed accordingly to carry out substantially the recommendations of the minority. The agriculturists, however, bitterly complained that, in doing so, the Government had thrown on local authorities a responsibility which it ought to have assumed itself; and that the local bodies, actuated by various interests and animated by different views, adopted contrary methods and deprived the country of the advantages which uniformity of restrictions

[1] First Report of Commissioners on Cattle Plague, *Parl. Papers*, 1866, vol. xxii. p. xvii.

[2] *Life of Lord Playfair*, p. 193.

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would have insured.[1] These complaints became the louder when it was seen that the regulations which were made had no effect in checking the progress of the malady. Up to the end of October, when the commissioners had made their first report, some 20,000 cases of disease only had been reported; on the 27th of January, 1866, the number of reported cases reached 120,000. The severe measures, which the majority of the commissioners had recommended, seemed the more necessary when the statistics were known, and dissatisfaction with the policy of the Government became more and more marked.

The spread of the disease.

The Fenians in 1865.

While the people of Great Britain were acutely affected by the spread of a fatal and mysterious disorder among cattle, the people of Ireland were again passing from a condition of sullen discontent into a state of active rebellion. Organisations had almost always existed in Ireland for the purpose of asserting Irish independence. In the early fifties, attention had been drawn to the Phœnix clubs in which the young men of Ireland were secretly enrolled. But the Phœnix clubs accomplished nothing, and were replaced about the year 1858 by the Fenian Brotherhood. The men, who designed this famous organisation, had imagination and administrative skill. The first induced them to adopt a name which had belonged in remote antiquity to a traditionary Celtic hero, the Fingal of Ossian, and which is said also to have been borne by the ancient Irish militia. The last enabled them to devise an organisation in which authority radiated from a single centre, and whose very objects were only imperfectly explained to the rank and file, who bound themselves by an oath of implicit obedience to their leaders. From

[1] The regulations of the Government were, in some respects, less stringent than those of the report of the minority of the commissioners. They gave large powers to local authorities to regulate the movement of cattle in, but not through, their areas. *Ann. Reg.*, 1865, Hist., p. 166 *seq.*

1858 to 1865, the new organisation attracted little attention. In 1865, however, the conclusion of the American War released from military service many thousands of Irishmen who had fought in the ranks of the victorious Federal armies; who disliked, both from temperament and training, the dull routine of ordinary labour; and who were ready to embark on any rash enterprise which held out to them prospects either of glory or of gain. It was not difficult to enroll many of these men in the ranks of the Fenian Brotherhood. The American people, fresh from the losses which the Alabama had inflicted on them, were not disposed to check a movement which seemed likely to embarrass this country,[1] and the Fenian organisation acquired a strength and compactness in the United States which it had never known in Ireland.

The disbandment of the Federal army gave the Fenians recruits, the sympathy of the American people gave them funds; and with money to spend, and men to spend it, the action and language of the leaders, both in the States and in Ireland, became more resolute. Fenians were drilled on the hillsides in many an Irish county, factories for the manufacture of bullets and pikes were established in the neighbourhood of Dublin, and the language of the Fenian press became more and more objectionable. In February 1865, the 'Irish People,' the chief Fenian organ, declared: 'The overthrow of the British Empire, that would be grand indeed! The day Irishmen humble the haughty crest of England, they chain for ever the glory of Ireland to the stars; they strike a blow that resounds through eternity.'[2] In 1865, Stephens, who was admitted to be the head centre of the movement, wrote: 'This year—

[1] See a letter from the *Times* correspondent in the United States, in the *Times* of the 6th of April, 1865.

[2] Quoted at the trial. *Ann. Reg.*, 1865, Chron., p. 233.

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and let there be no mistake about it—must be the year of action. I speak with a knowledge and authority to which no other man could pretend; and I repeat, the flag of Ireland, of the Irish Republic, must this year be raised.'[1]

In view of this formidable organisation, it was both natural and right for the Government to adopt measures of precaution, and in September 1865 it decided on arresting the chief leaders of the conspiracy, and on placing them on their trial before a special commission. Many of these arrests took place at the office of the 'Irish People,' of which the police took charge. But the most important arrest, that of the head centre himself, was made at the private house at which Stephens was residing. The first blow to the movement was rapidly followed by other arrests in the provinces, at Irish ports, and even in English towns, and the Government thought that it had secured all the prominent leaders of the revolt.

The special commission of 1865.

The special commission, before which the prisoners were tried, was opened on the 27th of November. Three days before, the chief actor in the conspiracy—Stephens himself—had made his escape from the prison in which he had been confined since his arrest. It was obvious that his escape had been facilitated by some of the warders in the gaol, who had opened the prison doors to allow him to pass through.[2] It was obvious, too, that,

[1] *Ann. Reg.*, 1865, Chron., p. 239. The letter is signed 'J. Power,' but there seems to be no doubt that it was written by Stephens. Stephens had acted as aide-de-camp to Mr. Smith O'Brien in 1848. He had been wounded, at that time, in a fight with the police, and had managed to escape from Ireland to Paris. 'There he studied French and other revolutionary accomplishments,' and afterwards returned to Ireland as a teacher of the French language. See Mr. Whiteside's account in *Hansard*, vol. clxxxii. p. 741. The whole speech is well worth reading, both for its account of the origin of Fenianism, and the character which it draws of Stephens.

[2] It is probable that sympathisers with the Fenian movement were to be found in more important official positions than in Richmond Gaol. In the summer of 1866 news reached Lord Derby's Government in London that the head centre Stephens had

if men within the prison had been ready to assist the escape of the prisoner, men outside were determined to prevent his being again arrested. Notwithstanding a large pecuniary reward, which the Government offered for his capture, no informer came forward to betray his leader. Though informers, in Ireland, have usually been almost as numerous as conspirators, no one was found in 1865 to betray the hiding place of his late leader.

The trials, which commenced in November, were protracted till the beginning of 1866. The Crown was almost uniformly successful. The Irish Attorney-General, indeed, at their conclusion, declared that, 'every single individual of mark, except one or two who fled the country, had been made amenable to justice. One person, James Stephens, escaped by treachery, which no care, perhaps, could anticipate, and certainly could not have foreseen: he has not been made amenable. He is a fugitive from justice; but every one of the persons whom he trusted and selected to be leaders in the intended insurrection—every one of those persons has been captured and brought to justice.' The Attorney-General added that this was a result with which the Crown ought to be satisfied; and the Crown, he accordingly declared, had no desire to pursue the rank and file if they returned to the allegiance which they should never have abandoned.[1]

landed in Ireland. The news was communicated by telegraph in cipher to the Irish Government, which then confessed that it had lost the key to the cipher. The cipher, which was thus used, was that employed throughout our diplomatic service; and the whole of the ciphers all over the world had in consequence to be changed. There is reason to believe that the telegram, which the Irish Government failed to decipher, was carried straight to the head quarters of Fenianism and easily deciphered. I state these facts on my own knowledge. I was the Private Secretary whose duty it was to telegraph to the Irish Government the report of Stephens's return; and I had the uncomfortable task of telling the late Lord Hammond, the Under Secretary at the Foreign Office, that the Irish Government had lost the key to the Foreign Office cipher.

[1] *Hansard*, vol. clxxxi. p. 715.

CHAP. IX. 1866.

The meeting of Parliament.

It thus happened that, when Parliament met in February 1866, the thoughts of members were absorbed by quite other subjects than those on which the Prime Minister had intended to stake the issue. He wished to crown his long and useful life by a new measure of organic reform; while they were occupied with the conduct of Governor Eyre, the ravages of the cattle plague, and the dangers arising from the Fenian conspiracy. And this divergence of opinion appeared, both in the Speech from the Throne and the debate on the Address. The former, which was of unusual length, drew prominent attention to these three subjects, while reform was dismissed with the notice that the Queen had desired that information should be procured 'in reference to the rights of voting in the election of members to serve in Parliament,' and that, when the information was complete, the attention of Parliament would be called to the result. The latter was mainly occupied with the same topics; and though, in the course of the debate, the Prime Minister assured the Lords that a Reform Bill would be introduced into the Commons probably before the end of February,[1] few other references were made to parliamentary reform.

On two of the three subjects, with which the thoughts of Parliament were thus chiefly occupied, there was apparently no likelihood of immediate legislative action. The Queen, in her Speech from the Throne, had been advised to repeat the assurance of the Attorney-General for Ireland, that the constitutional power of the ordinary tribunals had been exerted for the repression of Fenianism, and that the authority of the law had been firmly and impartially vindicated. There was therefore every reason to suppose that the Irish crisis was passing slowly into oblivion. If there was apparently no necessity for applying to the Legis-

[1] *Hansard*, vol. clxxxi. p. 102.

lature for fresh and forcible remedies for Irish disaffection, the time had not come for discussing judicially the conduct of Governor Eyre. Those who condemned and those who approved his conduct were equally bound to wait for the report of the commissioners, who were investigating the facts in Jamaica.

Legislative remedies for the cattle plague.

There seemed, therefore, every reason to suppose that, till the Reform Bill was ready, the time of Parliament would be mainly occupied with devising some remedy for the cattle plague; and, as a matter of fact, on the first available night of the Session, Sir George Grey moved in committee for leave to introduce a Bill on the subject. The Government, it appeared, were prepared to go a long way towards meeting the recommendations of the commissioners. They proposed the compulsory slaughter of all animals affected by the disease. They further decided that a discretionary power should be given to local authorities to kill other animals which had been exposed to contagion. They determined to prohibit for a limited time all fairs and markets for the sale of lean and store cattle; to forbid the removal of cattle at night, and to allow of their movement by day only under licence from the local authority. Compensation was to be paid to the owners of slaughtered cattle. When the animal so slaughtered was diseased, the compensation was not to exceed two-thirds, when it had only been exposed to infection, it was not to exceed three-fourths, its value. The compensation, moreover, was in no case to exceed 20*l.* for any beast that was diseased, or 25*l.* for any beast which had been exposed to infection.[1] It was to be paid by the local authority out of a fund, two-thirds of which were to be raised by a rate, and the remaining third by a local tax on cattle.[2]

[1] *Hansard*, vol. clxxxi. p. 355.

[2] This provision was altered in committee, and the cost of carrying out the Bill was thrown on the rates. *Ibid.*, p. 626.

CHAP. IX. 1866.

Mr. J. S. Mill's criticism.

The Bill which was thus introduced was exposed to two sharp and opposite criticisms. Mr. Stuart Mill, who had lately been returned for the great city of Westminster, made one of those rare speeches which not only influence opinion, but affect the issue of debate. While admitting that compensation was necessary, he declared that the compensation which the Bill proposed was too high, and fell upon the wrong persons. On the first point he argued with great force that the compensation to be paid ought to have some correspondence with the value of the animal. It was absurd, in other words, to pay two-thirds of its normal value, on a beast stricken with the plague, unless it could be shown that it had two chances out of three of recovery from the malady. On the second point he showed, with equal clearness, that the effect of the disease had been to raise the price of meat; that the consumer, by paying an increased price, had already indirectly compensated the agricultural interest for the loss which it had collectively sustained; and that consequently, instead of dividing the cost of compensation between the rural and urban ratepayers and the cowkeepers, the burden should have been distributed over the owners of stock throughout the country. A local tax was especially unjust; for under its operation it was precisely those counties which had suffered most from the disease which would contribute most, while those counties which had enjoyed immunity from the plague, and which had derived advantage from the increased value of their cattle, would be exempt from any portion of the tax.[1]

The speech bore almost immediate fruit. Mr. Mill's contention was supported by Mr. Bright with all the fervour of which his eloquence was capable; and Mr. Gladstone, unable to answer the argument, decided

[1] Mr. Mill's argument is in *Hansard*, vol. clxxxi. p. 488.

on meeting it by concession, and proposed an amendment reducing the compensation to be paid on the slaughter of a diseased animal to a sum in no case exceeding half its value.[1] Though the agriculturists demurred to this alteration, and Mr. Disraeli himself lodged a protest against it,[2] they did not venture to divide the House against the amendment, which had been suggested by Mr. Mill and adopted by the Government.

Mr. Ward Hunt's amendment carried.

The agriculturists, however, were determined to make one serious alteration in the Bill. Several of them considered that the remedy which the Government proposed was inadequate. They thought that too much attention had been given to the requirements of the towns, and too little had been paid to the dangers to which the rural interests were exposed. They held that, instead of some regulations forbidding the movement of cattle without licence from the local authority, the movement of cattle by railway should be absolutely prohibited for a limited time, and the movement of cattle in any other way should be only lawful on conditions inserted in the Act itself. This amendment was entrusted to Mr. Ward Hunt, a country gentleman, whose good sense and Conservative principles had secured him the support of the electors of Northern Northamptonshire, and whose solid qualities ultimately raised him to high political office. Mr. Ward Hunt succeeded in carrying his amendment against the Government; and the House decided, by a large majority,[3] on the absolute prohibition of the transfer of cattle by railway till the 25th of March, 1866.

[1] *Hansard*, vol. clxxxi. p. 541.

[2] *Ibid.*, p. 547.

[3] 264 to 181. *Ibid.*, p. 573. Mr. Ward Hunt consented to withdraw the other portion of his amendment relative to the movement of cattle by road, and to introduce a separate Bill on this branch of the subject. The Bill passed both Houses; but the Commons refused to accept the very numerous amendments introduced by the Lords, and it was ultimately dropped. *Ibid.*, vol. clxxxii. p. 263.

CHAP. IX.

1866.

The Bill for the suspension of the Habeas Corpus Act in Ireland

Before the Cattle Diseases Bill had passed through all its stages, both Houses of Parliament were surprised by the sudden and unexpected announcement that Ministers proposed to suspend the Habeas Corpus Act in Ireland. As the Attorney-General for Ireland only a month before had declared himself satisfied with the results of the special commission, and her Majesty, in her Speech from the Throne on the 6th of February, had been advised to declare that the authority of the law had been firmly and impartially vindicated, no one expected that, only ten days later, on the 16th of February, the Cabinet would consent to ask Parliament for so drastic a remedy as the suspension of the Habeas Corpus Act. Half a century before, the Prime Minister had won his earliest reputation by his vigorous denunciation of a proposal to suspend the Habeas Corpus Act in England. 'We talk much,' he had then said, 'of the wisdom of our ancestors. I wish we would imitate the courage of our ancestors. They were not ready to lay their liberties at the foot of the Crown upon every vain or imaginary alarm.'[1] There is something melancholy in reflecting that the man, who could utter these bold and generous words in his youth, was destined twice to attain the highest place in his country's council, and that on each occasion he felt it his duty to lay 'the liberties' of Ireland at the foot of the Crown.

Different men will indeed probably draw contrary inferences from Lord Russell's action in 1848 and in 1866. Some will, no doubt, argue that the fact that the Minister, who proposed to suspend the Habeas Corpus Act in Ireland in those years, was the same man who had so vigorously opposed its suspension in England in 1817, is the strongest proof that the measures which he carried were necessary. Others will reply that they only show that the most liberal English statesmen

[1] *Life of Lord John Russell*, vol. i. p. 95.

apply one rule to Ireland and another to this country, and resort in the one case to expedients which they would shrink from employing in the other. At any rate, when the authorities in Ireland demanded the suspension of the Act, the Cabinet did not hesitate. On the 14th of February, Lord Wodehouse, who held the office of Lord Lieutenant, declared that the time had arrived when its suspension was necessary. Mr. Chichester Fortescue, an Irishman by birth, who had lately succeeded to the office of Chief Secretary, endorsed Lord Wodehouse's opinion; and, on the 16th of February, Lord Russell in the Lords and Sir G. Grey in the Commons asked the House to meet on the following day, which happened to be a Saturday, and pass the necessary measure.[1]

The conduct of the Ministry in proposing the law was partially justified by the readiness with which Parliament adopted it. The Commons, meeting at 12 o'clock on Saturday morning, suspended their standing orders, passed the Bill through all its stages, and sent it up to the Lords in the afternoon. The Lords displayed equal celerity in passing the Bill; and, except that Mr. Bright made a speech, which was severely condemned at the time, but which has been almost unanimously praised by those who have read it in later years, and that Mr. Stuart Mill, in more measured language, agreed with Mr. Bright that the Bill 'was a cause for shame and humiliation to the country,'[2] no effective protest was made by any English member against the introduction of the measure. Even the Irish themselves succeeded in collecting only six Irishmen to vote against the Bill.[3]

Though the Bill had passed all its stages early on Saturday afternoon, the accident that the Queen was at

[1] *Hansard*, vol. clxxxi. pp. 585, 600.

[2] *Ibid.*, pp. 685, 705.

[3] *Ibid.*, p. 727.

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is passed through all its stages in both Houses in a single day.

Osborne delayed the grant of the royal assent to it for a few hours. The House of Commons adjourned at 6 P.M., to meet again at 11 at night, and, at the request of the Lords, continued sitting, though they had nothing to do. At length, a little before 1 A.M., news reached these expectant senators that her Majesty had issued a commission to the Chancellor and other Peers, commanding them to give her royal assent to the Bill, and the members of both Houses were, in consequence, shortly released from an irksome and protracted sitting.[1] It was afterwards made ground of complaint that, 'at a time when moments were precious,' her Majesty should not have been in London; and it was also suggested that there was some illegality, which it might be necessary to rectify, in the two Houses sitting in the early hours of a Sunday morning. But the complaint was not seriously pressed, and the suggestion only elicited the authoritative explanation that there was no law, 'parliamentary or otherwise,'[2] to prevent Parliament from sitting on a Sunday. The Legislature which had done so much from time to time to make labour, trading, or amusement on Sunday impossible, had never laid down any rules for the observance of Sunday by its own members.

The new Act smothered the flame without extinguishing the fire; but it left the Ministry free to deal with other matters. The inquiries which had been instituted were now complete, and, on the 12th of March, Mr. Gladstone rose to introduce the measure of reform which Lord Russell had made the keystone of his policy.

[1] *Hansard*, vol. clxxxi. pp. 666, 730.

[2] Sir G. Grey's expression. It is of course difficult to see what law, except a law of Parliament, could possibly bear on the subject. *Ibid.*, p. 765. Later on, on the 16th of March, Lord Grey asked the House of Lords to resolve itself into a committee on the state of Ireland. In doing so, he traced the prevalent discontent mainly to the existence of an Established Church, and proposed a measure of concurrent endowment. *Hansard*, vol. clxxxii. p. 358.

The Reform Bill of 1866.

The reasons for parliamentary reform in 1866 were not so striking as those which had existed in 1830. It was no longer possible to pretend that the members of the House of Commons were mainly chosen by a few wealthy men, and that the nation as a whole had no share in their election. It was equally impossible to contend that representation was given to green parks and ruined towns, and denied to the great commercial centres of the country. The most obvious anomalies had been swept away by the great measure of 1832; but, large and drastic as the Act of 1832 had been, it had not remedied all the abuses of the old representative system, and it had not extended the franchise to the bulk of the people. In 1865 there were about 4,000,000 inhabited houses and 5,300,000 adult males in England and Wales, and there were not more than 900,000 voters.[1] There was not, in other words, one elector for each four inhabited houses, and five out of every six adult males were without a vote.

This, however, was only one anomaly. The population of the United Kingdom had increased from rather more than 21,250,000 in 1831 to rather more than 29,000,000 in 1861, or, roughly, by 40 per cent. But the increase had not, of course, been uniform. In Scotland the population had increased by 700,000, or by nearly one-third; in Ireland it had decreased by 2,000,000, or by more than one-fourth. It was difficult to believe that the proportion of representation awarded to the two countries in 1832 could be satisfactory in 1865. While, moreover, the population of the United Kingdom had increased by 40 per cent., the population of the metropolis, of Liverpool, of Glasgow, and of other towns, had practically doubled. The inadequate representation awarded to these places in 1832 was

[1] Cf. Census Tables with Mr. Gladstone in *Hansard*, vol. clxxxii p. 56.

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much more inadequate in 1865. The anomalies, which everywhere existed, emphasised this state of things. The borough of Totnes, with some 4,000 inhabitants, returned the same number of members as the borough of the Tower Hamlets with 647,000, or the town of Liverpool with 443,000 people. The county of Cornwall, with some 350,000 people, returned as many members to Parliament as the county of Middlesex and all the metropolitan boroughs to the north of the Thames.

If anomalies of this kind were marked and numerous, a large portion of the population had a great grievance. The masses of every community are engaged in daily labour, and the working classes, as a rule, cannot afford to pay 10*l.* a year for the houses in which they live. It followed that the members of this great industrial class had no adequate share in the government of the country. Mr. Gladstone, indeed, declared that, under the most liberal estimate, only about one town voter in every four in England could be held to belong to this class. In rural England, except that a few working men enjoyed a 40*s.* freehold, the working classes had neither part nor share in the representation.

Efforts, indeed, had been made throughout Lord Palmerston's Administration to reduce the anomaly and redress the grievance. Mr. Locke King had advocated constantly that assimilation of the county with the borough franchise, which had proved the rock on which Lord John Russell's ministerial vessel had been wrecked in 1851.[1] Mr. Baines as constantly had advocated the extension of the borough franchise. Mr. Berkeley had exerted himself annually in the cause of secret voting, and Mr. Duncombe had charged himself with arguing for a redistribution of electoral power.

[1] *Life of Lord John Russell*, vol. ii. pp. 122, 123. Lord John on that occasion resigned, but subsequently resumed, office.

But, though the debates on these subjects were sometimes long, there was always something artificial about them. No one, on either side of the House, anticipated that any practical result would ensue from them. They afforded convenient opportunities for the repetition of familiar arguments by reformers on the one side, and Conservatives on the other; but they had no effect on opinion either indoors or out of doors. Dislike of change in the House was encouraged by indifference in the country; and, so far from making progress, the cause of reform remained stationary, or perhaps went back, during the Parliament of 1859.[1]

The indifference of the public, and the distaste of the House, did not blind the eyes of more far-seeing persons to the necessity for reform. They knew that there was both an anomaly to amend, and a grievance to redress. The anomaly arose from the fact that representation was unequal, that small and decaying villages enjoyed as much power as large and growing towns. The grievance was due to the other fact, that the great masses of the people were not represented at all; and that the working classes, the source of the nation's wealth, had no voice in the government of the country.

There were many men who, in their inmost hearts, were opposed to all change. They thought that the main object of legislation should be to secure the presence of 658 representative gentlemen in the House of Commons. The small boroughs seemed to them admirable devices for accomplishing this object. They

[1] Mr. Locke King's County Franchise Bill was defeated by 248 votes to 220 in 1861, and by 254 votes to 227 in 1864. Mr. Baines's Borough Franchise Bill was defeated by 245 votes to 193 in 1861, and by 288 votes to 214 in 1865. Mr. Berkeley's Ballot Bill was defeated by 279 votes to 154 in 1861, and by 212 votes to 123 in 1864. See *Hansard*, vol. clxi. p. 1932; vol. clxii. pp. 410, 1004; vol. clxxiv. p. 954; vol. clxxvi. p. 47; vol. clxxviii. p. 1705. For Mr. Duncombe's motion on redistribution, *ibid.*, vol. clxii. p. 1798.

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were never tired of reminding the House that Mr. Pitt, Mr. Canning, and Mr. Fox had all, at one time of their career, represented rotten boroughs; and that, in 1865, small and decaying places sent to the House of Commons many men who had exceptional experience in India, in the City, and in other walks of life.[1] But there were other men, who did not conceal from themselves that it was both unconstitutional and impossible to stereotype the representation of a growing and changing country: unconstitutional, for, in previous ages, the House of Commons had constantly been enlarged by conferring representation on unrepresented places;[2] impossible, because it could not be expected that the masses of the people would permanently submit to their own exclusion from power. These persons were, for the most part, agreed that some measure of redistribution was inevitable, and some extension of the franchise desirable. With respect to redistribution, they were generally of opinion that no large reform could be carried, for it was hopeless to expect that the members of boroughs threatened with extinction would vote for the annihilation of their constituents. With respect to the franchise, two different schools of thought prevailed in 1865; the one, founded on distrust, thought that representation and taxation should go together, and that no man

[1] See, *e.g.*, Mr. Disraeli's speech, *Hansard*, vol. clxxxiii. pp. 877–880.

[2] In 1861, the disfranchisement of two corrupt boroughs, Sudbury and St. Albans, enabled the Ministry to pass a mild measure of redistribution. It decided on conferring the vacant seats on the West Riding of Yorkshire, South Lancashire, Birkenhead, Chelsea, and Kensington. But the House refused to confer an additional member on the metropolis; and it was ultimately decided to divide the West Riding into two, each section of it returning two members. See *Hansard*, vol. clxiv. p. 118. The debate on this Bill reminds the student of the debate which had taken place in 1828 on the proposal to disfranchise Penryn and Falmouth. *History of England*, vol. ii. p. 384. It is remarkable, too, that, while the debates of 1828 were followed four years later by the Reform Act of 1832, the debates of 1861, which displayed an equal inability to deal with the question on any broad principle, should have been followed by the Reform Act of 1867.

should have a vote who did not contribute directly to the taxation of the country, or to the rates of the borough in which he lived. The other, founded on trust, regarded the franchise as a great educator, and wished to confer its advantages on as large a proportion of the population as possible.

The details of the measure.

Conscious, however, that the country had acquiesced for years in the unprogressive policy which Lord Palmerston had pursued, doubtful whether its apathy would be removed, as it was removed in 1831, by the promulgation of a large and comprehensive measure, the Cabinet hesitated either to prepare or to adopt a large and broad scheme of reform. Instead of doing so, it decided to deal with one branch of the subject alone—to introduce a franchise Bill for England and Wales, but to leave redistribution and other troublesome matters for consideration in another year. Even on the franchise they acted with the timidity of men who were afraid of the consequences of their own decision, and who, while anxious to retain the name of reformers, were determined to make the draught as mild, the operation as painless, as possible.

The speech, which Mr. Gladstone made in introducing the measure, reflected the moderation of the Cabinet. It showed no trace of his usual faith or his usual enthusiasm. It was more of an apology for, than a vindication of, reform. It pleaded for the acceptance of the Bill, not because it was large, but because it was small. It was careful to explain that the particular measure of franchise, which the Government had selected, had been adopted because it left the working classes in a marked minority.

The fact was, the Cabinet had rejected a great opportunity. It so happened that, among the permanent advisers of the Government, a man of marked ability held the office of Parliamentary Counsel to

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the Secretary of State for the Home Department. This officer, Sir H. Thring, was closely connected by marriage with Mr. Cardwell, who had lately succeeded the Duke of Newcastle at the Colonial Office. He had thus both public and private opportunities of pressing his views on the Cabinet. He had himself prepared a memorandum, in which he had pointed out the advantage of adopting the franchise in force in municipal England as the basis of the new franchise in boroughs. The proposal was in one sense wide, for the municipal franchise was given to every rate-paying householder; but its full effect was diminished by the long period of residence required of the householder before he could be placed on the register. The municipal franchise had the great merit that it was simple and intelligible, and that it avoided all the controversy which was necessarily aroused by the rival claims of a 10*l.*, 8*l.*, 7*l.*, 6*l.* or 5*l.* borough franchise.

The Cabinet, however, rejected the suggestion. Some of its members probably thought that its provisions were too wide; others of them that the municipal franchise by extending the period of residence would take away with one hand what it gave with the other. Others, again, among whom was Mr. Gladstone, objected to identifying the franchise with the payment of rates. There was an obvious advantage—so such men thought—in encouraging the small householders to compound with their landlords. But, apart from this economical advantage, the requirement that the rates should be paid by the elector was likely to prove the source of disfranchisement on one side, and of corruption on the other. The local authorities, indeed, in some cases 'did not apply for the payment of rates until the time had elapsed when the vote could be secured,' while 'voters in other cases have had their taxes paid by the political agents in the interest

'of the respective candidates.'[1] For these or other reasons the Cabinet rejected the view, which was widely held in Parliament, that payment of rates should be an indispensable qualification of the elector, and proceeded to search for some point to which the franchise could be conveniently extended. The manner, in which they solved this problem to their own satisfaction, was not one likely to create much enthusiasm. They found, in the first place, that the existing town constituency consisted of 488,000 persons, of whom one-fourth, or 126,000, might be thought to belong to the working classes. They found that, if they reduced the borough franchise from a 10*l.* to a 6*l.* rental, they would add 242,000 persons to the register, all of whom would belong to the working classes; and they found that the abolition of the ratepaying clauses would add to the register 60,000 persons, also members of the working classes, who inhabited houses above the 10*l.* line. It followed that the abolition of the rating qualification and the extension of the franchise to 6*l.* householders would actually place the working classes in a majority in the town constituencies. In 1866 even a Liberal Cabinet was not liberal enough to take such a generous course. Instead of doing so, it contented itself with a proposal to reduce the borough franchise to only 7*l.* householders. That step would only add 144,000 persons to the register. It would leave the working classes in a numerical minority, and could thus be accepted by a Cabinet which had not yet learned the cardinal doctrine, that government by the people for the people is the true aim and object of the Liberal creed.[2]

The 7*l.* householder.

[1] The words in inverted commas are Mr. Gladstone's in introducing the Bill. *Hansard*, vol. clxxxii. p. 43.

[2] *Ibid.*, pp. 52, 53. How greatly Mr. Gladstone's views changed as his years advanced, will be seen from his language in 1884. In 1866 he had almost apologised for adding 144,000 persons to the register. In 1884 he said: 'I am not prepared to discuss admission to the franchise as

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In case the House should be alarmed at this measure of enfranchisement in the towns, Mr. Gladstone was careful to point out that the influence of the working classes would be reduced by the new franchise which the Government proposed to create in the counties. Here it intended to form a new occupation franchise for either houses alone, or for houses with land, ranging at a rental from 14*l.* to 50*l.* Except that 14*l.* was twice 7*l.*, it was not very easy to discover any clear ground on which this franchise was based; but, as few or no working men in rural England could afford to pay 14*l.* a year for a house, it was obvious that the little influence which the working classes exercised in county elections by their possession of a 40*s.* freehold, would be sensibly diminished by the large addition of middle-class householders to the county electors.

The Adullamites.

If, however, this moderate and meagre measure was not calculated to create much enthusiasm among Liberals who deserved the name, it aroused infinite apprehension among a group of politicians who sat on the Liberal benches, but were animated by a genuine distrust of popular government. Foremost among them were two men who both enjoyed influence from their abilities and their eloquence, and who perhaps were sore at their own exclusion from office. One of them, Mr. Horsman, had filled the office of Chief Secretary for Ireland in Lord Palmerston's first Administration, where, according to a famous saying, he had done the hunting

it was discussed fifty years ago, when Lord John Russell had to state, with almost bated breath, that he expected to add, in the three kingdoms, 500,000 to the constituencies. It is not now a question of nicely calculated less or more. I take my stand on the broad principle that the enfranchisement of capable citizens, be they few or be they many—and if they be many, so much the better—gives an addition of strength to the State.' *Hansard*, vol. cclxxxv. p. 107. The cautious words of 1866 are the more striking because, in 1864, Mr. Gladstone had said, 'I venture to say that every man who is not personally incapacitated by some consideration of personal unfitness or of political danger is morally entitled to come within the pale of the Constitution.' Morley's *Life of Gladstone*, vol. ii. p. 126.

of the Administration;[1] the other, Mr. Lowe, had been forced to resign the Vice-Presidency of the Council in 1864.[2] Mr. Bright, in one of his speeches, described them as a party of two, which was 'like the Scotch terrier that was so covered with hair that you could not tell which was the head and which was the tail.' On the same occasion he declared, in words which were long remembered, that Mr. Horsman had retired into his political cave of Adullam, and had called about him every one that was in distress, and every one that was discontented.[3]

It is claimed for Mr. Lowe that his conduct in these debates, which made him for a short time the foremost member of the House of Commons, was due to the genuine distrust of democracy with which residence in Australia and travel in the United States had inspired him; and perhaps it is fair to admit that Mr. Lowe felt, or fancied that he felt, the distrust which he expressed. It is remarkable, however, that the man who, in England and in opposition, resisted so violently the extension of

[1] 'Carlisle did the dancing, Horsman the hunting, and Larcom the business.' *Hansard*, vol. cxlix. p. 727. Mr. Horsman had been an adverse critic of his former friends since 1860. Mr. Gladstone said of him in March of that year: 'Her Majesty's Government have been unfortunate beyond description during the present Session in attempting to win the favour of my right honourable friend. Scarcely had the Session opened, when he complained that never did a Government present to Parliament so scanty a programme of business; but scarcely had it proceeded three weeks more, when he again complained that such was the crowd and mass of business forced upon the attention of the House by the Government, that they were greedily and irrationally demanding from private members a portion of time which properly belonged to them,' &c. *Hansard*, vol. clvii. pp. 310, 311. It was said of him, in 1862, that 'he was the exponent of dissatisfaction, and the faithful mirror of discontent.' *Ibid.*, vol. clxvii. p. 374.

[2] See *supra*, vol. i. p. 514.

[3] *Hansard*, vol. clxxxii. pp. 219, 220. This illustration, it is interesting to note, had been used two years before by President Lincoln. A small meeting of a few hundred men had met in New York and nominated Frémont for the Presidency. Lincoln, hearing of it, opened his Bible, and read: 'And every one that was in distress, and every one that was in debt, and every one that was discontented, gathered themselves unto him; and he became a captain over them: and there were with him about four hundred men.' Rhodes, *Hist. of the United States*, vol. iv. p. 464.

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the franchise to the people, in Australia had advocated a wide extension of the franchise; and in office had sat silently by while the Reform Bill of 1860 had been proposed by his leaders. It is certain, too, that, before the Reform Bill of 1866 was introduced, he had expressed in his private letters a determination to wreck the Government. In fact, it seems impossible to doubt that if the advice of Sir Charles Wood and Lord Granville had been taken, and Lord Russell had found room for Mr. Lowe in the reconstructed Cabinet, the great philippics of 1866 would never have been uttered, and the history of England might have been strangely altered.[1]

Mr. Horsman displayed his animus in a speech at the close of the first night's debate, in which he attacked the Government, the Bill, and above all Mr. Bright, the leading advocate for reform. Mr. Lowe delivered the first of the great speeches which he made on the subject of reform at the opening of the second night's debate. The eloquence of Mr. Lowe's speeches is still a tradition. The peroration, with which the first of them was concluded, is even now remembered by men who either never knew, or else forgot, that it was taken from one of Mr. Canning's speeches.[2] But eloquence and hos-

[1] Mr. Morley writes: 'Lowe's admission to the Cabinet was made impossible by his declaration against any lowering of the borough franchise,' vol. ii. pp. 155, 156. I am unable to verify this statement. Cf. *Life of Lord John Russell*, vol. ii. p. 423, and Mr. Bright in *Hansard*, vol. clxxxii. p. 218, references which throw some doubt on it.

[2] Mr. Lowe concluded his speech with these words: 'If my right hon. friend does succeed in carrying this measure through Parliament, when the passions and interests of the day are gone by, I do not envy him his retrospect. I covet not a single leaf of the laurels that may encircle his brow. I do not envy him his triumph. His be the glory of carrying it: mine of having to the utmost of my poor ability resisted it.' *Hansard*, vol. clxxxii. p. 164. But Mr. Canning had concluded a speech against parliamentary reform in 1822: 'That the noble Lord [Lord J. Russell] will carry his motion this evening I have no fear; but, with the talents which he has shown himself to possess, he will no doubt renew his efforts hereafter. If, however, he shall persevere, and if his perseverance shall be successful, and if the results of that success shall be such as I cannot help apprehending, his be the triumph to have precipitated those results—be mine the consolation that to the utmost and the latest of my power

tility were not the only weapons with which Mr. Gladstone was assailed. When the Bill came on for second reading, Lord Grosvenor, known well in later years as the Duke of Westminster, who had joined the distressed and discontented in the political cave of Adullam, met the motion with an amendment that it was inexpedient to discuss the Bill till the House had before it the whole scheme of the Government. In anticipation of the motion, the Government had already been compelled to promise an alteration in its programme. It had undertaken, before the Bill reached committee, to lay on the table other Bills embodying its ultimate intentions 'with respect to the franchise in Scotland and Ireland, and all the questions connected with the redistribution of seats.'[1] The concession, such as it was, enabled the Government to defeat Lord Grosvenor's amendment, and after an eight nights' debate to carry the second reading of the Bill by a majority of five.[2] The majority had fallen to the ominous figure which had led to Lord Melbourne's resignation in 1839.

Lord Grosvenor's amendment.

If the concession of the Government had enabled it to resist, with some slight measure of success, Lord Grosvenor's amendment, the narrowness of the majority again compelled it to reconsider its decision. Mr. Gladstone had been led to promise that he would lay the whole scheme of the Government before the House, but he had been careful to explain that he should only do so that the House might have full cognisance of the intentions of the Ministry, and he had added that he should continue to press forward the Franchise Bill, and the Franchise Bill alone. After the division on the second reading, however, this attitude was no longer possible. Redistribution, it was acknowledged, was a much more important matter than the franchise; and

Redistribution added to the Bill.

I have opposed them.' *Hansard*, 1st Series, vol. vii. p. 136; cf. the author's *Hist. of England*, vol. ii. p. 338 and *note*.

[1] *Hansard*, vol. clxxxii. p. 852.

[2] *Ibid.*, vol. clxxxiii. p. 152.

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the Redistribution Bill was not only introduced, but pressed to a second reading, while a motion was subsequently carried that the two Bills should be referred to the same committee, and that the committee should have power to consolidate them into one Bill.[1] It was obvious that the advantages which the Government had originally hoped to obtain, by dealing with each branch of the subject separately, had been lost through the firm attitude of the House. The Government, indeed, had foreseen that any measure of redistribution would necessarily combine against it the representatives of boroughs threatened either with total or partial extinction; but the opponents to reform had equally the wit to foresee that they could increase their own forces by thus winning the adherence of these distressed and discontented constituencies.

Though, however, the Ministry had been forced by the attitude of its opponents to reconsider their original decision, the same consideration which, at the outset, had induced them to refrain from touching redistribution, led them to make the measure of redistribution as mild as possible. They proposed to obtain forty-nine seats by the semi-disfranchisement of some of the smaller boroughs, and by grouping some of these boroughs together. They proposed to assign seven of these seats to Scotland; twenty-six to English counties; four to the metropolis by dividing one great constituency in the East of London, and by creating one new constituency in the West of London. The twelve remaining members they decided to allot by increasing the representation of five large towns, by conferring members on six other large unrepresented towns, and by giving a member to the University of London.[2]

The moderation of the Government did not, how-

[1] *Hansard*, vol. clxxxiii. pp. 486, 874, 1319.
[2] Mr. Gladstone's speech, *ibid.*, p. 486 *seq.*

ever, facilitate matters. The second reading of the Redistribution Bill was carried in the middle of May. The decision to fuse the two Bills in one was arrived at before the end of that month; and the greater part of June was occupied with a series of contests in committee on the new county and borough franchise. The Ministry succeeded in resisting a motion that the county franchise should be determined by the rateable value of the house, only by a majority of seven. They were defeated, on a somewhat similar proposal that the rateable and not the clear yearly value of the house should be taken as the basis of the borough franchise, by a majority of eleven.[1] The Cabinet, meeting on the following morning, made up its mind to resign; and, as the Queen happened to be at Balmoral, they asked for an adjournment of four days to enable them to communicate with her Majesty.[2]

The Government is defeated, and resigns.

The resignation of Lord Russell in 1866 was the virtual close of a career, which had commenced at his election for Tavistock fifty-three years before. Lord Russell's life, indeed, was protracted till 1878; and, in the years which were yet to come, he occasionally took the part in debates which his character and his abilities enabled him to fill. But in 1866 the work of his life was done; he was already showing symptoms of the infirmities of age, and he added afterwards little or nothing to the reputation which he had previously obtained. In this respect he forms a striking contrast to his friend and colleague, Lord Palmerston. The one man, endowed by nature with a vigorous constitution, retained his faculties unimpaired till almost the close of his career; the other, sickly from childhood, had no strength in his old age for the cares and anxieties of office, and withered, like a tree that gradually dies at the top. Hence it happened that, while the generation,

The character of Lord Russell.

[1] *Hansard*, vol. clxxxiv. pp. 405, 639. [2] *Ibid.*, p. 648.

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which knew both men at their prime, placed Lord Russell above Lord Palmerston; the generation, which knew them in their decline, placed Lord Palmerston above Lord Russell.

It is perhaps hopeless, at the present time, to attempt to reverse this verdict; yet the student, who is best acquainted with Lord Russell's career, will be disposed to rank him above almost all his contemporaries. Few of the statesmen, who laboured in the first half of the nineteenth century, did more to shape or to create the England of the last half of the nineteenth century. To him the Nonconformist owes his position; to him, more than to any other man, the middle classes owe their enfranchisement. The friend of civil and religious liberty in his youth, he advocated freedom to the close of his life. He led the forlorn hope in its assault on privilege and monopoly in his early years; he fought in the vanguard for the same cause, so long as he had strength to fight at all.

His political achievements were remarkable. It was on his motion that the Test Acts were repealed, that the Reform Act of 1832 was passed, that the Irish Church was first reformed, and it was under his guidance that municipal England was reorganised, that the Poor Law was framed, that the Navigation Acts were abolished, and that free trade, which Sir Robert Peel had initiated, was extended and confirmed. But his administrative achievements were almost as noteworthy as the legislation which he introduced. To him rural England largely owes her police; to him is largely due the reform of our prisons, and the institution of a rational scheme of secondary punishments. In an age, distinguished for administrative ability, he was the most capable of administrators.

If Lord Russell's services to the United Kingdom were great, his services to the Empire and to the world

were almost greater. It was he who sent Lord Durham to Canada; it was he who gave autonomous institutions to the Australasian colonies; and it was to him, more than to anyone who was not numbered among her children, that modern Italy owes her unity and independence.

There were no doubt passages in his career which it is not easy to excuse. He shares with Lord Palmerston, though to a much smaller degree, the shame of the Danish policy of 1863-64. He shares with his other colleagues—though he is perhaps the least guilty among them—the blame which attaches to the Alabama's escape. It is the fashion to condemn his resignation in 1854, and the causes which led to his second resignation in 1855. It is forgotten that, on the second of these two occasions, he chivalrously undertook a mission, foredoomed to failure, and that he paid the penalty of his ill success by his retirement. It is equally forgotten that, on the first of these two occasions, he had the courage to say that he would not remain in office when he was dissatisfied with the manner in which a great war was being conducted. His best friends may regret his previous relations with Lord Aberdeen; but they need offer no apology for his conduct in refusing to defend a military administration which he had vainly attempted to reform.

In oratory he had many superiors; in debate he had hardly a rival. He could fasten on the weakness and grapple with the strength of an opponent's case in a fashion which has been rarely excelled; and the position, which his abilities obtained for him, was confirmed by his public and private character. Whatever men might think of his conduct on particular occasions, they were always ready to testify to the purity of his course and the integrity of his nature. He may have done some things which his admirers

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may regret: he never did anything of which they need be ashamed.

The consequences of his fall.

His fall naturally involved the fate of the Bill on which he had staked the fortunes of his Ministry. The opponents to reform had, so far, won their triumph. The impassioned eloquence of Mr. Lowe had done its work; and the fears of weak Liberals, and the manœuvres of the Tory chieftain, had secured a victory. Yet, if many of those, who were loudest in their enthusiasm at the defeat of the Government, could have foreseen the history of the next few months, they would, perhaps, have withheld their cheers. They had defeated a moderate measure which would have had little significance, and they had paved the way for the introduction of a Radical measure, which was virtually to transfer power from the middle classes to the people.

Yet there was no doubt that the opponents of reform had grounds for believing that they had secured more than an ephemeral victory. The Bill of the Government, which had excited such consternation among the classes, had been received with comparative apathy by the masses. The people had shown none of the determination which had strengthened the hands of the Whig Ministry of 1832. Bill after Bill had been introduced, in 1852, in 1854, in 1859, and in 1860, for amending the Reform Act; and Bill after Bill had been either defeated or withdrawn, and the people had made no sign of either disappointment or discontent. There seemed every reason for supposing that they would view with equal complacency the failure of 1866; and, if the Bill had been defeated in March, this result might possibly have ensued. The intervening weeks, however, had done much to kindle the desire for reform. Mr. Bright himself, though he thought the Bill inadequate, declared it to be honest, and gave it his warm

support both in and out of the House.' In language which created much alarm at the time, he declared that the Bill would pass if Birmingham and other towns did their duty. 'You know what your fathers did thirty-four years ago, and you know the result. The men who, in every speech they utter, insult the working men, describing them as a multitude given up to ignorance and vice,[1] will be the first to yield when the popular will is loudly and resolutely expressed. If Parliament Street, from Charing Cross to the venerable Abbey, were filled with men seeking a Reform Bill, these slanderers of their countrymen would learn to be civil, if they did not learn to love freedom.'[2] And Mr. Bright's indignant invective was seconded by Mr. Gladstone. He took advantage of the Easter recess to attend some great meetings at Liverpool, at which in the presence of some of his colleagues he declared that the Government had staked its existence on the Bill and that it would not flinch from the task it had undertaken. 'We have passed the Rubicon, we have broken the bridges and burned the boats behind us.'[3] He placed the claim of the working classes on new and unexpected ground. 'It is a moderate estimate to put the income of the working classes at five-twelfths of the aggregate income of the country, whereas they are put off, under the present law, with, at the outside, only one-seventh of the electoral power. Now, on the very showing of our antagonists, and putting aside altogether the question how far the human element itself may weigh, is not such a state of things absolutely unjust?'[4]

[1] Mr. Lowe, in the first of his great speeches, said: 'If you want venality, if you want ignorance, if you want drunkenness and facility for being intimidated; or if, on the other hand, you want impulsive, unreflecting, and violent people, where do you look for them in the constituencies? Do you go to the top or to the bottom?' *Hansard*, vol. clxxxii. pp. 147, 148. These words were long remembered against him.

[2] Barnett Smith, *Life of Bright*, vol. ii. p. 206.

[3] Morley, *Life of Gladstone*, vol. ii. p. 202.

[4] *Hansard*, vol. clxxxii. p. 1134.

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The tame and apologetic language with which he introduced the Bill, on the 12th of March, disappeared when he moved the second reading on the 12th of April, and still more when he wound up the debate sixteen days afterwards. On the 12th of March he had claimed that this Bill was no Trojan horse, no *monstrum infelix*. 'We cannot say:

Scandit fatalis machina muros
Foeta armis.'[1]

For the second reading he had another quotation from Virgil, couched in a different spirit.

'You may bury the Bill that we have introduced but we will write upon its gravestone, for an epitaph this line, with certain confidence in its fulfilment:

Exoriare aliquis nostris ex ossibus ultor.'[2]

The financial crisis of 1866.

It happened, too, that another cause, which had no direct connection with the Reform Bill, tended to arouse the working classes from their apathy; for, in May 1866, a great financial disaster suddenly burst upon London; and the ruin which it occasioned resulted in distress, which always increases the appetite for parliamentary reform.

[1] This quotation gave Mr. Lowe the opportunity for one of his happiest retorts. 'That was not a very apt quotation; but there was a curious felicity about it, which he [Mr. Gladstone] little dreamt of. The House remembers that, among other proofs of the degree in which public opinion is enlisted in the cause of reform, is this—that this is now the fifth Reform Bill that has been brought in since 1851. Now, just attend to the sequel of the passage quoted by the right hon. gentleman:

O Divum domus Ilium et inclyta bello
Moenia Dardanidum! Quater ipso in limine portae
Substitit, atque utero sonitum quater arma dedere.

But that is not all.

Instamus tamen immemores, caecique furore,
Et monstrum infelix sacrata sistimus arce.'

*Hansard*, vol. clxxxii. p. 164. Most reasonable men think now that Mr. Gladstone was right, and Mr. Lowe wrong, in 1866. But most men will admit that Mr. Lowe's retort was effective. Perhaps also they will share the author's regret that, if parliamentary reform has been attended with many benefits and few disadvantages, it should have introduced us to a House of Commons which is incapable of appreciating the classical quotations in which the giants of previous generations delighted.

[2] *Hansard*, vol. clxxxiii. p. 152.

The crisis of 1866 differs somewhat in its nature from the crises which had so gravely affected the country in 1847 and in 1857. Measured by previous experience, it came a year before its time; but its effects were the more widespread, because of late years Parliament had altered the law of partnership, and had sanctioned the formation of joint-stock companies with only a limited liability on the shareholders. It is remarkable that Mr. Lowe was the author of this change; and perhaps by introducing it he was indirectly responsible for the character of a crisis, which certainly did as much to carry reform as his own speeches did to resist it.

The law of England for many years discouraged or forbade the inauguration of joint-stock enterprise. The Bubble Act, which was passed during the first paroxysm produced by the bursting of the South Sea Bubble in the reign of George I., for a hundred years rendered the formation of joint-stock companies illegal and an indictable offence.[1] The Act failed to prevent the formation of such companies. Indeed, in 1824, the year before that in which it was repealed, the columns of the daily newspapers teemed with advertisements of projected companies.[2] In 1825 the Bubble Act was repealed; but the Legislature took this bold step with caution and reluctance. The shareholders in a joint-stock company were placed under the disabilities of partners in a private enterprise. Every partner in a commercial undertaking was liable to the whole extent of his fortune for the debts of the concern. In

The formation of joint-stock companies.

[1] The words are taken from Mr. Lowe's speech in introducing the Joint-stock Companies Act of 1856. *Hansard*, vol. cxl. p. 116.

[2] *Hist. of England*, vol. ii. p. 189, *note*. 'Many of the companies, which were then set on foot, were able, or conceived that they were able, to prosecute their objects effectually without deriving any sanction or special powers from the Legislature. Others of them, and particularly such as were to have their sphere of operation at home, found it prudent or necessary to apply for private Acts of Parliament.' Tooke, *Hist. of Prices*, vol. ii. p. 150, *note*.

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sanctioning the formation of joint-stock companies, the Legislature threw on the shareholder the responsibilities of the partner. A man might possess only a 100*l.* share in a company whose aggregate capital was reckoned in millions: his single share rendered him liable to the last penny of his private fortune for all the debts of the company.

This condition was so intolerable, that it was found constantly necessary to alter it. Just as before 1825, when joint-stock enterprise was illegal, Parliament had been constantly invited to sanction the formation of joint-stock companies, so before 1855, when the principle of limited liability was first recognised by the Legislature, Parliament found it necessary continually to limit the liabilities of shareholders. The development of commerce, the growth of capital, and the constantly increasing number of persons who desired to find some profitable investment for their savings, made, at last, a change in the law essential; and Parliament in the nineteenth century gradually removed the disabilities which it had created in the eighteenth century, and finally, by adopting the principle of limited liability, enabled even comparatively poor men to invest their little savings, without any undue risk, in commercial enterprise.

The introduction of limited liability.

The principle of limited liability had been established before the numerous failures in the United States had produced the crisis of 1857; but the principle, at that time, had so recently been conceded, that its introduction did not affect the crisis of that year. In 1866 the case was very different; limited liability had assumed extensive proportions. In the nine years, which had intervened since the panic of 1857, it had been introduced into almost every kind of business. But it had failed in many cases to afford the security which it was expected to confer. The nominal value of the shares in many companies far exceeded the sum

which was required to be paid on them, and the shareholder who had paid 100*l.* on shares, whose nominal value was 1,000*l.*, was not much better off than the shareholder who had paid 100*l.* on shares with an unlimited liability. Thus, when the crisis of 1866 occurred, it carried ruin and dismay into thousands of households. The crisis burst on the financial world with alarming suddenness. Trade had been apparently prosperous throughout 1865; indeed, commerce had been unusually active, and speculation exceptionally rife. The demand for money, which in consequence was created, had the natural tendency of raising the rate of discount; and the Bank rate, which stood at only 3 per cent. in June 1865, was gradually raised to 7 per cent. before the end of the year, and to 8 per cent. in the beginning of 1866.

These successive additions to the value of money, however, attracted comparatively little attention. Supposed to be largely due to the extension of trade, they seemed evidence of prosperity, rather than of danger. One or two minor failures, which naturally occurred, were supposed to be due to local causes; and it was not till April that alarm was generally created by the steps which a great railway company was forced to take to provide itself with the necessary capital for the completion of its authorised works. In that month, the London, Chatham and Dover Railway Company—an undertaking which had been incorporated in 1859—was forced to dispose of its ordinary stock at a ruinous discount,[1] and, as the event proved, the sacrifice did not avert a more serious disaster; for, before the summer was over, the company was compelled to place its affairs

[1] In 1865, the contractors of the London, Chatham and Dover Railway raised a sum of 577,000*l.* from the *crédit mobilier* by pledging 40*l.* of fully paid-up stock for every 21*l.* of cash received. In April 1866, they were forced to raise money by issuing 100*l.* of stock for 27*l.* 10*s.* See Lord Redesdale's remarks in *Hansard*, vol. clxxxiii. p. 859.

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in Chancery, and the great contractor, by whom the line had been mainly constructed, was declared bankrupt. Still, however, none of the best authorities anticipated the impending crash. Mr. Gladstone, in moving the Budget on the 3rd of May, had a great deal to say on the possible consequences of the exhaustion of our coal-fields in the twentieth century;[1] but he had not one word of warning on the crisis which was impending at the moment at which he was speaking.

The failure of Overend, Gurney & Co.

Yet, within one week from the date on which he introduced his Budget, the whole country was suddenly alarmed by the failure of the great discount establishment of Messrs. Overend, Gurney & Co. The company, only the year before, had taken over the business of the old-established firm, Messrs. Overend & Co., and the shares of the company had been readily subscribed for by investors in every part of the country and in almost every class of the community. At the time of its suspension, the liabilities of the company amounted to 19,000,000*l.* It was said in 1866 that no single bankruptcy had ever perhaps caused so great a shock to credit.[2] The day which succeeded the failure, Friday, the 11th of May, is still remembered in the City as Black Friday.

Confronted with this great crisis, the governors of the Bank of England approached the Government; and, without making any express application for a suspension of the law, stated the fact that their advances on approved securities had exceeded 4,000,000*l.* in a single day, and that the reserve of the Bank had, in consequence, been reduced from nearly 6,000,000*l.* to 3,000,000*l.* The Treasury, writing late on the same night, thought it their duty to assure the Bank that, if the governors

[1] *Hansard*, vol. clxxxiii. p. 399.

[2] The expression is from the *Times* in the Review of the Year. The *Times* Review is copied, however—so far as it related to the financial crisis—almost *totidem verbis* into the *Ann. Reg.*, Hist., 1866, pp. 183–185.

found it necessary to issue notes beyond the limit fixed by law, the Government would not fail to apply to Parliament for its sanction. In intimating its decision, the Treasury made the usual stipulation that no advance should be made at a discount of less than 10 per cent., and that the profits of these advances should accrue to the public.[1]

The decision of the Government did its work. The knowledge that the Bank had the power to increase its issues, tended to restore the confidence of the public, and the mere power of issuing notes prevented the necessity for its exercise. But, though the money market gradually resumed its customary course, the confidence of the public in joint-stock enterprise did not so readily return. Industry languished, and while it languished the demand for labour fell off. Decreasing employment stimulated, as it always stimulates, the appetite for political change.

The Queen accepts Lord Russell's resignation,

If the internal circumstances of the country were causing consternation, external affairs were creating anxiety. The 18th of June, the day on which the Government experienced its final defeat, was the day on which Prussia declared war against Austria, and on which therefore the struggle, which has led to such stupendous consequences in Europe, definitely began. The Queen, who, it has already been said, was at Balmoral, where she had gone in disregard of the wishes of her Ministry, and from which she was reluctantly induced to return, could not understand her Ministers resigning on what she thought a detail, when all Europe was threatened with possible conflagration; and eight days elapsed before she finally consented on the 26th of June to accept the resignations which had been tendered to her on the 19th.[2]

[1] The correspondence will be found in *Ann. Reg.*, 1866, Chron., pp. 305–307.

[2] *Life of Lord John Russell*, vol. ii. pp. 429–431; cf. Lord Russell's remarks, *Hansard*, vol. clxxxiv. p. 654.

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and sends for Lord Derby.

The Queen, thus compelled to part from her old Ministers, took the natural course of sending for the leader of the Conservative party, who had twice been her Prime Minister, Lord Derby. With a large experience, however, of the difficulties which beset the Minister who undertakes the government of the country with only a minority of the House of Commons enrolled in his support, Lord Derby, with the full consent of his former colleagues, decided on attempting to construct an Administration on a wider basis than that of the Conservative party alone. With this object he first addressed himself to two members of the late Cabinet, Lord Clarendon and the Duke of Somerset. Both these men, however, not unnaturally declined an invitation whose acceptance could hardly be deemed consistent with fidelity to their late colleagues.[1] Failing them, Lord Derby turned both to Lord Lansdowne, whose pocket borough of Calne returned Mr. Lowe to Parliament, and to the large group of dissentient Liberals, whose attitude, whose speeches, and whose motions had been chiefly instrumental in the defeat of Lord Russell's Ministry. Lord Lansdowne, singularly enough, died suddenly before the new Ministry was formed. But Lord Grosvenor, on the 29th of June, was able to assure Lord Derby that his friends the Adullamites had come to the unanimous opinion not to take office.[2] In arriving at this conclusion, Mr. Lowe had apparently exercised a constraining influence on his friends. He would apparently have been ready to join some composite Administration under a neutral leader. But he hesitated to associate himself with a Cabinet which was led in one House by Lord Derby, and in the other by

[1] *Hansard*, vol. clxxxiv. p. 731 *seq.*

[2] In the first instance, the Adullamites were apparently ready to take office under Lord Stanley; but only a small minority among them were ready to serve under Lord Derby. *Memoirs of an Ex-Minister*, p. 621. In the end they all held aloof from the Conservative Ministry.

Mr. Disraeli. He disliked their principles and he distrusted their policy.[1]

These refusals left Lord Derby the alternative of declining the task which the Queen had entrusted to him, or of reconstructing his old Government with such fresh materials as the flight of time had placed at his disposal.[2] He chose the latter course. He himself, Lord Chelmsford, Mr. Disraeli, Lord John Manners, Mr. Spencer Walpole, General Peel, and Lord Naas, resumed the duties which they had discharged in 1858. The Foreign Office was wisely entrusted to his own son, who was widely recognised, at that time, as the most prudent member of the Conservative party. The Colonies and the India Office were given to Lord Carnarvon and Lord Cranborne, who had been better known as Lord Robert Cecil, and who was to be still better known as Lord Salisbury. The Admiralty was placed under Sir John Pakington, a country gentleman, who, in the course of a long career, filled many offices with credit, but gained in none of them distinction.

The negotiations attending the resignation of one Ministry and the formation of another, and the subsequent election of the members of the new Government, occupied so much time, that the labours of Parliament were virtually suspended from the 18th of June to the 16th of July, an interval which proved long enough to decide the fate of three great Continental kingdoms.

Popular demonstrations for reform.

In the meantime, however, while the leaders of the great political parties in the State were occupied with the transfer of the seals of office, the people were rapidly emerging from their apathetic indifference to reform. So long as the Russell Ministry remained in power, and the Reform Bill—the honest Bill, as Mr. Bright had

[1] *Life of Lord Sherbrooke*, vol. ii. p. 302; cf. Saintsbury, *Earl of Derby*, p. 170.

[2] It ought to be added, that Lord Derby attempted to secure the assistance of Lord Shaftesbury. Hodder's *Life of Lord Shaftesbury*, vol. iii. p. 211.

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called it—was under consideration by the Commons, they had been content to 'stand and wait.' The defeat of Lord Russell's Ministry, however, and the accession of the Conservatives to office, roused them from their apathy. There had lately been established in London, under the presidency of Mr. Beales, a well-known barrister, an organisation for promoting a wide measure of parliamentary reform. The Reform League, as the organisation was called, aimed at securing manhood suffrage and vote by ballot; but it had the wisdom to accept the modest instalment which Lord Russell and Mr. Gladstone were offering, and which Mr. Bright had endorsed. The League was admirably adapted to support the views of the reformers. Its president, in 1864, at the time of Garibaldi's visit to London, had asserted the right of public meeting by convening and holding a great meeting on Primrose Hill. On the news of the fall of the Russell Administration, he summoned another meeting, to be held on the 2nd of July in Trafalgar Square. The assembly was, at first, forbidden by the police; but the interval, between the resignation of one Ministry and the formation of another, was not favourable for the decisive exercise of authority. The meeting was suffered to be held: and the League, encouraged by this preliminary success, decided on organising processions in various parts of London, to march with bands and banners on Hyde Park, and there hold a great meeting in favour of reform on Monday, the 23rd of July.

The projected meeting in Hyde Park.

In 1866, processions through the metropolis, and public meetings in royal parks, were not viewed with the feelings with which they have since been regarded. The streets of the metropolis were supposed to be sacred to the purposes of ordinary traffic; the parks of London were equally consecrated to the amusements of the people; and Hyde Park, on a summer afternoon, was

almost exclusively reserved for the recreation and exercise of the upper classes of society. To the children of fashion, it seemed intolerable that the children of toil should invade their special domain for the purpose of proclaiming their own faith in democratic principles, and of giving Dives an inconvenient proof of the power and aspirations of Lazarus. Society, therefore, was almost unanimous in thinking that the concession of the 2nd of July should not be repeated on the 23rd, but that the new Government should prevent both the procession and the meeting.

Precedents for such a course could easily be found. In 1833, the Whig Government of Lord Grey had declared a meeting, proposed to be held in Coldbath Fields, to be 'dangerous to the public peace, and illegal.' In 1842, the Government of Sir R. Peel had decided that a meeting to be held on Clerkenwell Green should not be permitted; in 1848 the Chartists had been summarily stopped in their passage to Westminster; and in 1855 the police had forcibly interfered with crowds of people assembled to protest against a Bill, which Lord Robert Grosvenor had introduced, to stop trading on Sunday. Society could see no reason why a Conservative Government in 1866 should not accord it the protection which it had received from a so-called Liberal Government in 1855.

While, however, Society was thus thinking, Ministers were anxiously considering the state of the law. It did not follow that, because the police had forcibly interfered in 1855, public opinion would sanction a similar interference in 1866. Even in 1855, Lord Robert Grosvenor had been so alarmed at the collision which had taken place, that he had withdrawn his obnoxious Bill. The fate of one Grosvenor in 1855 might possibly be suggestive of the fate of another Grosvenor in 1866. And the Home Secretary

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knew, what the public did not know, that it was doubtful whether the conduct of the police in 1855 was capable of defence before a competent tribunal. For, in 1856, the Government—wise after the event—had consulted the law officers of the Crown on the law with respect to meetings in public parks, and it had received a definite opinion that (1) there was a right in point of law to close the gates and exclude the public; (2) the gates being open, there was a right to exclude persons attempting to gain admission, though this right should not be exercised against particular individuals unless in case of previous misconduct; and (3) 'if persons who have entered commence to preach or play, they cannot be turned out without proper notice to them that the permission or licence of the Crown to the public to enjoy the park is conditional only, and does not apply to persons who so conduct themselves; and the best way of giving such notice is by posting it up at the entrance of the parks. The authority to close and exclude the public from the parks, is that which every landowner has to prevent the public from trespassing on his lands.'[1]

The meeting in Hyde Park.

It followed from this opinion that the Government might close the gates of the park, and exclude the masses and the classes alike; but that, if Society were allowed to drive, Demos must be allowed to walk in the park; and that, if any single representative of Demos disobeyed the notice at the gate, he must be separately removed as a trespasser, 'with just so much force (and no more) as is necessary for that purpose.'[2]

[1] This opinion is signed by Sir A. Cockburn, Sir R. Bethell, and Mr. W. A. Willes. The opinion is embodied in a Memo. on the Law of Riots and Insurrection which was prepared for the use of the Cabinet in 1867 by Sir H. Thring. It was read by Mr. Spencer Walpole in the House of Commons on the 24th of July, 1866. *Hansard*, vol. clxxxiv. p. 1393.

[2] I am again quoting from the opinion of the law officers (Sir H. Cairns and Sir W. Bovill), given after the meeting of the 23rd of July. The opinion goes on:—'It is a separate right against each individual. The assembly (assuming it

The more, therefore, the law was examined, the more it became clear that, unless the Government chose to adopt the extreme course of closing the park, it had no adequate means at its disposal for preventing the meeting; and the Home Secretary, in consequence, decided that the right thing to do was to allow the meeting to take place, and merely suppress any symptoms of disorder. Neither the Prime Minister nor the Cabinet, however, was prepared to adopt this opinion. In opposition to the Home Secretary's view, they determined to prevent the meeting, and they were forced, in consequence, to close the gates, and exclude all people equally from the park.[1] The decision of the Government did not modify the resolution of the Reform League. The knowledge that the Reform League was doing something, which the Government decided should not be done, probably increased the crowds who swelled the ranks of the reformers; for, to any zeal which they might feel for reform, was added the zest of possible conflict.[2]

The Cabinet decide to suppress the meeting.

The weather, too, favoured the demonstration. As the long summer afternoon drew towards its close, crowds of people, animated by zeal and curiosity, converged on the park. The leaders of the demonstration, anxious only to test a right, on finding the gates closed against them, desisted from further operations,

The railings of the park thrown down.

to be orderly) are not united in doing an illegal act, and there is no right to disperse them or coerce them as a body of rioters or disorderly persons.'

[1] The actual authority to stop the meeting was signed by Lord John Manners (the Chief Commissioner of Works), and not by the Secretary of State.

[2] Mr. Bright wrote a letter at the time, which was published on the very day of the meeting, in which he said: 'You have asserted your right to meet on Primrose Hill and in Trafalgar Square. I hope after Monday night no one will doubt your right to meet in Hyde Park. If a public meeting in a public park is denied you, and if millions of intelligent and honest men are denied the franchise, on what foundation do our liberties rest, or is there in the country any liberty but the toleration of the ruling class? This is a serious question, but it is necessary to ask it, and some answer must be given to it.' Barnett Smith's *Life of Bright*, vol. ii. p. 215.

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and in some cases withdrew.[1] But the crowds, whom their action had collected, and who had nothing particular to do, did not withdraw. They hung on to the railings of the park, good-humouredly 'chaffing' the police who were drawn up inside the enclosure. A long rail supported on a narrow curb acted as a lever when the weight of a swaying, struggling crowd was applied to its highest extremity. This railing, in one place, tottered and gave way. The crowd, quickly discerning the cause, and imitating the expedient, in a few minutes threw down the 1,400 yards of railing which surrounded the park, and rushed, a disorderly though good-humoured mob, into the enclosure.[2]

The action of the mob had justified the advice which the Home Secretary had given to the Cabinet; but, in stating to the House of Commons what had passed, the Home Secretary rightly took upon himself the

[1] *Hansard*, vol. clxxxiv. p. 1396.

[2] In giving this account, I have availed myself of private information. Lord Thring wrote to me after my father's death: 'It is not in the least true that he was responsible for the Hyde Park riots. I well recollect that when he went down to the Cabinet to decide on the course the Government should take, he had a slip of paper on which was written, "The meeting is not illegal, but any rioting will be suppressed," or words to that effect. We had agreed that this was the true view of the case. The paper itself is, I think, amongst your father's archives, for he asked me some years ago to give it him. Lord Derby overruled this opinion, shut the gates of Hyde Park in the face of the mob, and hence the tumult. Mr. Walpole was made the scapegoat; whereas the real cause was the folly of Lord Derby and those who thought that a mere collection of enthusiasts was a felonious assembly, and that they could be repelled by merely closing the gates of the park.' The memo. which Lord Thring referred to, and which is in his handwriting, is as follows: 'Notes as to meeting in Hyde Park, to be submitted to the Cabinet by the Home Secretary.—The Government do not think they are justified in suppressing the meeting with force. The meeting will be permitted to assemble; but in the event of its becoming disorderly, a stop will be immediately put to it.' As there has been some controversy about the manner in which the railings of the park were thrown down, I have followed the account given me by an eyewitness at the time. So little did the mob appreciate the risk of being present on such an occasion, that Sir R. Mayne told me that he remonstrated with a woman for bringing a baby in arms to the park; and that the woman was terrified on learning from authority that the situation might possibly turn into one of danger for a woman and her baby.

responsibility for the decision at which the Cabinet had arrived. The turbulent scenes of the preceding evening, however, had created general alarm. The aspect of Hyde Park—its railings demolished, its flower-beds trampled down—increased the prevalent apprehensions; the mob, in fact, still swarmed in the park; the police were obviously unable to control the people; and the Chief Commissioner of Police, on the evening which succeeded the disturbance, asked that troops might be held in readiness to support his men.

The Home Secretary and the Reform League.

On the 26th of July, Mr. Beales, with the Council of the Reform League, waited upon the Home Secretary, and suggested that, if they were allowed to enter the park without interference from the military, they might be able to induce the people to withdraw; and the Home Secretary told them that the Government was anxious to afford them every opportunity of trying the legal right of meeting in the park; and that, if the League, pending a legal decision, refrained from insisting on that right, the Government would give it every means of publicly discussing the political question elsewhere. For his part, he undertook, unless any mischief arose, any disturbance was created, or any property was attacked, to refrain from any demonstration of either military or police. After this interview, two or three members of the deputation returned, and asked the Home Secretary whether he would allow a meeting to be held on the following Monday. The Home Secretary replied that such an application must be made in writing, in order that it might be submitted to the Cabinet.[1] The League accordingly drew up a letter, asking the Minister to offer no opposition to a meeting, to be held in the park, the following Monday; and, without waiting for his answer, they issued a placard, which they had the assurance to post at the entrance of the park, stating that, 'The

[1] *Hansard*, vol. clxxxiv. pp. 1492, 1493.

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Government, by the Right Honourable Spencer Walpole, the Home Secretary, has this day agreed with the Council of the Reform League to facilitate, in every way, their obtaining a speedy decision, either in Parliament or in a court of law, as to the right of the people to hold public meetings in the parks, and it is earnestly requested that, in the meantime, and until the question is decided, no further attempt be made to hold a

The League issue a notice for a new meeting.

MEETING IN HYDE PARK,

EXCEPT ONLY BY ARRANGEMENT WITH THE GOVERNMENT,

ON MONDAY AFTERNOON,

JULY 30TH, AT 6 O'CLOCK.'[1]

The publication of this placard very nearly drove the Home Secretary from office. It was naturally assumed that he had called in the League to assist him in restoring the order which it was his own duty to maintain; and that he had consented, as the price of such assistance, to concede the whole principle by allowing a meeting to be held on the following Monday. Though he at once denied the allegation of the placard,[2] his own contradiction, would perhaps, not have been accepted, if a member of the League, Mr. Holyoake, who had been present at the deputation, had not come forward to repudiate Mr. Beales's placard, and to confirm the Home Secretary's denial.[3]

The firm attitude of the Government, and the arrangements which were made for the preservation of order, prevented any renewal of the serious disturbances which had thus taken place. But the meeting had done its work. The people had made an 'ugly rush,' which

[1] *Hansard*, vol. clxxxiv. p. 1538. I have ventured to copy the type of the placard, which is in my possession.

[2] See the *Times*, 26th of July, 1866.

[3] *Hansard*, vol. clxxxiv. p. 1539; and cf. Mr. Holyoake's own account in a letter to the *Times* of the 27th of July, 1866; cf. also his later account in *Sixty Years of an Agitator's Life*.

Society could neither forget nor ignore; and, though it was still open to contend that the working classes were not zealous for parliamentary reform, it was no longer possible to deny that large numbers of them were ready to join in demonstrations intended to secure it. The Lord Mayor of London, in the following month, placed the Guildhall at the disposal of the Reform League; and himself presided at a meeting at which the speakers demanded universal suffrage and the protection of the ballot. The example of the City was followed in the provinces. Mr. Bright lent to the agitation the whole force of his telling eloquence. He attended great meetings at Birmingham, Manchester, Leeds, Glasgow, and Dublin, in which he denounced the conduct of Lord Derby's Government, and advocated a large measure of reform.[1] There was no longer room to doubt that the rejection of the moderate measure of Lord Russell, Mr. Bright's impassioned eloquence, and the riot in Hyde Park, had produced a real and wide agitation for reform, which the distress arising from a financial crisis had helped to increase.

Other demonstrations for reform.

In the meanwhile, the new Government was anxiously considering its position. In the speeches which its more prominent members had made on their re-election, in the explanatory statement which Lord Derby had himself made in the House of Lords, care had been taken to vindicate the right of the Conservative party to deal with reform, but equal care had been displayed in refraining from every pledge to deal with it.[2] But, the more the matter was examined, the more it became plain that circumstances would force the Cabinet to bring forward some proposal on the subject. A Cabinet,

[1] *Ann. Reg.*, 1866, Chron., pp. 109, 137, 141; and cf. Barnett Smith's *Life of Bright*, vol. ii. pp. 216-238.

[2] See, *inter alia*, Mr. Disraeli's speech in Buckinghamshire (reprinted in *Ann. Reg.*, Hist., p. 167), and Lord Derby's speech in the House of Lords, *Hansard*, vol. clxxxiv. p. 740.

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which was largely composed of the gentlemen who had introduced the Reform Bill of 1859; a Cabinet which had resisted the Bill of 1866, because it was incomplete, and not because it was unnecessary; a Cabinet, whose leader in the House of Commons was fond of talking of a lateral extension of the franchise,[1] and whose next most prominent member was assuring his constituents that the Conservative party was prepared to agree to the extension of the franchise to 20*l.* householders in counties, and 8*l.* householders in towns,[2] could hardly refuse to deal with the subject. Mr. Bright might declare that he did not believe that the Government had determined to bring in a Reform Bill, or that they could by any possibility bring in a Bill which the reformers could accept.[3] Those who were behind the scenes knew that some members of the Government were already considering the expediency of introducing a much more generous measure than that of Lord Russell's Cabinet.

A new Reform Bill considered.

The fact was, that, at the close of the Session of 1866, the eminent lawyer who held the post of Parliamentary Counsel at the Home Office had placed in the Home Secretary's hands the memorandum on the municipal franchise, which he had already brought before Lord Russell and his colleagues. The suggestion that the municipal franchise should be extended to parliamentary elections was exactly suited to the Home Secretary's views. Though he had declined to accept the Reform Bill of 1859, he had parted from his colleagues on that occasion not from any dislike of a broad and comprehensive measure, but from a pronounced distaste for a proposal which seemed to him to have nothing final about it. Sir H. Thring's sugges-

[1] See Mr. Disraeli's speech on the 8th of May, 1865. *Hansard*, vol. clxxviii. p. 1702.

[2] See Lord Stanley's speech at King's Lynn, *Ann. Reg.*, 1866, Hist., p. 170.

[3] Barnett Smith's *Life of Bright*, vol. ii. p. 237.

tion, that the borough franchise should be identified with the franchise already in force in municipal England, seemed to him to supply that exact assurance of finality which he had always desired, and which he had hitherto failed to discover.[1] When the Cabinet, however, reassembled after the recess, and Sir H. Thring's plan was placed before it, a wide difference of opinion became manifest. It was evident that, at least, three members were strongly opposed to any such extensive measure; and the Cabinet, to avoid disruption, fell back on a device which had served Lord Derby in 1858, in dealing with the Government of India, and decided, instead of bringing in a detailed measure, on which it was hopeless to secure agreement among themselves, to introduce a series of abstract resolutions, which would mean very little, but which would at least afford no opportunity for dispute.

Accordingly, when Parliament met, in February 1867, the Queen was able to announce from the throne that its attention would again be directed to the state of the representation of the people in Parliament, and to express a hope that deliberations, conducted in a spirit of moderation and forbearance, might lead to the adoption of measures which, without unduly disturbing the balance of political power, would freely extend the elective franchise.[2] Vague words, which might obviously apply either to a very large or a very narrow measure of reform. Mr. Gladstone, however, on the part of the Opposition, raised no objection to the 'enigmatical' language of the Speech; on the contrary, he declared the Government to be justified in reserving its explanation to a future day, and he merely pressed that the future day should be the

[1] I was my father's private secretary in 1866, and in closest communication with him, and I state these facts of my own knowledge. Sir H. Thring, in fact, placed his proposal in my hands, and I gave it myself to my father.

[2] *Hansard*, vol. clxxxv. p. 6.

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earliest they could choose for the purpose. Mr. Disraeli, acknowledging with satisfaction the self-restraint of his adversary, undertook to bring the subject before the House on the earliest day at his command; and the Address was agreed to with a unanimity and a despatch[1] which had rarely been witnessed in the past, and which were perhaps never again to be seen in the future.

Men in the arena, before they seriously engage in contest, are in the habit of indulging in some preliminary passes in which courtesy and good humour are never wanting. So it was on this occasion with the leaders of the two great parliamentary parties. And this courtesy and good humour did not wholly disappear when, six days afterwards, Mr. Disraeli made his promised explanation. All parties, so he argued, had failed to deal with the question of reform; where parties had failed, the House itself might succeed if it would only exercise that moderation and forbearance which her Majesty had recommended. In the circumstances in which the House found itself, it was the opinion of Ministers 'that parliamentary reform should no longer be a question which should decide the fate of Ministries.'[2] The House laughed in derision at the notion, which they hardly expected even Mr. Disraeli to entertain, that the fate of the chief legislative project of the Government should have no influence on its own fortunes. They broke into ironical cheers when he told them that the course which Ministers proposed to adopt was not one flattering to themselves, but that it was consoling to work for the public good, instead of bringing forward mock measures to be defeated by the spirit of party.[3] Mr. Disraeli accordingly proposed to bring forward a series of resolutions on which it would

Mr. Disraeli's resolutions.

[1] *Hansard*, vol. clxxxv. pp. 72, 74, 75, 76.
[2] *Ibid.*, p. 215. [3] *Ibid.*, p. 242.

be possible to consult the sense, and accept the suggestions, of the House.[1] Even this speech, however, did not lead to any parliamentary conflict. Mr. Gladstone pointed out the obvious objections to the course which the Government was taking in attempting by resolutions, which must necessarily be vague, to deal with a subject which essentially bristled with details; but he promised that these objections would not interfere with his desire to aid the Government in arriving at an adequate settlement.[2]

The resolutions which Mr. Disraeli laid on the table were thirteen in number. They affirmed the expediency (*a*) of increasing the number of the electors both in counties and boroughs; (*b*) of effecting this increase by reducing the qualification, and by adding other franchises not dependent on the value of a man's house; (*c*) of a more direct representation of the labouring classes, with a declaration that it was 'contrary to the Constitution' to give any one class a predominating influence; (*d*) of basing the franchise on rating; (*e*) of some revision of the existing distribution of seats: no one borough, however, being wholly disfranchised. In addition, the resolutions proposed to affirm the expediency of enabling voters to vote by voting papers, of establishing a 'plurality of votes,' and of taking measures for the better prevention of bribery at elections.[3]

The reception given to the resolutions left little doubt as to their fate. Mr. Disraeli was urged, both on the 14th and the 18th of February, to translate vague declarations into definite statements, by announcing the qualifications, which the Government proposed, both for the county and for the borough franchise. He declined to give that information, for the very good reason that he had no information

[1] *Hansard*, vol. clxxxv. p. 241.
[2] *Ibid.*, p. 246.
[3] *Ibid.* Table of Contents, February 11.

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to give. The Cabinet had rejected the broad proposal for assimilating the parliamentary to the municipal franchise; but it had put nothing in its place. Five days after the House had resolved itself into committee, Mr. Disraeli had laid a definite proposal before the Cabinet; but one member of it, General Peel, had objected to it, and it was only on the 19th that his objection was removed.

A Reform Bill adopted by the Cabinet.

According to Lord Malmesbury,[1] the scheme which Mr. Disraeli propounded to the Cabinet contemplated the reduction of the borough franchise to houses rated at an annual value of 5*l.* and upwards; and the institution of several new 'fancy' franchises conferring votes on persons with certain educational qualifications, and possessing a certain sum in a savings bank, or paying a certain amount in direct taxation. It was, therefore, probably intended as a compromise to satisfy those members of the Cabinet who favoured a 'lateral' rather than a 'vertical' extension of the suffrage. But the inadequate and unacceptable proposal was never destined to see the light. The details of Mr. Disraeli's scheme were only finally settled on Saturday, the 23rd of February. On the following day, Lord Cranborne, who had from the first showed much hesitation in agreeing to any extensive measure of reform, devoted the comparative leisure, which a Sunday afforded him, to examining the proposal which the Cabinet had adopted. As the result of his examination, he convinced himself

[1] *Memoirs of an Ex-Minister*, p. 627. Except in this passage of Lord Malmesbury's *Memoirs*, I have found no reference to this proposal of Mr. Disraeli's. But Lord Malmesbury may be inferentially supported by the following extract from a speech of Lord Cranborne (Lord Salisbury): 'On the Sunday evening, I came to the conclusion that, although the figures, on the whole, had a fair seeming . . . yet, with respect to a large number of boroughs, they would scarcely operate, practically, otherwise than as a household suffrage.' *Hansard*, vol. clxxxv. p. 1349. These words, applicable enough to Mr. Disraeli's proposal, are obviously quite inapplicable to a franchise, like the municipal franchise, based on household suffrage.

"that the scheme was too democratic; and, late on Sunday evening, he intimated his views to Lord Carnarvon. Lord Carnarvon at once accepted Lord Cranborne's conclusions, and on Monday morning the two Ministers communicated to Lord Derby their inability to consent to the Bill, to which they had agreed on the Saturday. Perhaps no Prime Minister had ever been placed in a more cruel predicament. He had summoned a meeting of his supporters for half-past two o'clock on that afternoon; his lieutenant had to meet the House of Commons at four; and neither he at the meeting, nor his lieutenant in the House, could possibly avoid stating what franchises they contemplated instituting under the shadow of the vague resolutions which still held their place on the notice paper. The Cabinet, hastily summoned, had no time to deliberate. As one of its members afterwards naïvely said, 'they had not half an hour, they had not more than ten minutes, to make up their minds.'[1] In that ten minutes they decided to raise the franchise in boroughs to 6*l.* The arithmetical calculation, which Lord Cranborne had passed his Sunday in making, had led him to very much the same conclusion as that at which Lord Russell's Cabinet had arrived the year before. The latter had fixed the borough franchise at a 7*l.* rental, because it had found that a 6*l.* rental would have given too large an influence to the working classes; and similarly Lord Cranborne was willing to accept a 6*l.* rating, tempered by franchises for freeholders, depositors in savings banks, educated people, and payers of direct taxation, because, so tempered, it could not produce the democratic consequences to which a 5*l.* rating franchise would lead.[2]

Lord Salisbury and Lord Carnarvon object.

The Ten-minutes Bill.

[1] Sir John Pakington. See report of his speech in *Times*, 14th of March, 1867, and in *Ann. Reg.*, 1867, Hist., pp. 31, 32; and cf. Traill's *Lord Salisbury*, p. 77.

[2] At the same time the Government proposed to reduce the county occupation franchise so as to make it include all 20*l.* householders; and see Mr. Disraeli's speech, *Hansard*, vol. clxxxv. pp. 937–943.

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The hasty decision of a hurried Cabinet did not reduce the difficulties of an embarrassed Government. The House, indeed, on Monday evening had the advantage of knowing the exact interpretation which Mr. Disraeli proposed to read into his own resolutions; but this advantage made the resolutions themselves more inconvenient than ever. Mr. Lowe at once stated his strong objections to the House being asked to vote on abstract and indefinite resolutions, when it had, at last, a definite proposal before it; and Mr. Gladstone, while agreeing with Mr. Lowe that it would be preferable to proceed by Bill, declared that, if the House were to proceed by resolution, the resolutions should embody the plan of the Government. Thus condemned, both by the man who had proposed the Bill of 1866, and the man who had led the opposition to that Bill, the resolutions were virtually dead before the conclusion of the evening sitting; indeed, Mr. Disraeli, towards the close of the debate, offered to do anything to meet the wishes of the House, expressing his readiness, when he got into committee, either to begin with the last of the resolutions, or to refrain from pressing any of them to which objection might be raised. On the following evening he came down to the House, and announced his intention to withdraw the resolutions altogether, and proceed by Bill.[1]

Divided counsels had produced the ordinary result. Vague resolutions, intended to cover contradictory opinions, had been destroyed by criticism; and a definite scheme had been hastily adopted, which might probably have been carried in 1859, but which was unacceptable in 1867. Mr. Bright, indeed, on the first statement of the Ministerial scheme, had condemned it

[1] For Mr. Lowe's speech, *Hansard*, vol. clxxxv. p. 952. For Mr. Gladstone's, *ibid.*, p. 981. For Mr. Disraeli's, *ibid.*, p. 990. For the withdrawal of the resolutions, *ibid.*, pp. 1021, 1022.

as inadequate,[1] and Mr. Bright was not alone in forming this opinion. The Conservative party, or many of its shrewder members, were already arriving at the conclusion that, if they were to be asked to swallow a new measure of reform, a good deal could be said, even from a party standpoint, for strengthening the dose. A meeting of Conservative members, hastily summoned at the Carlton, showed 'a general disposition to prefer a larger measure than that which the Cabinet had adopted.'[2] And the Government had plainly to choose between the inclinations of its followers and the scruples of its dissentient members. It did not long hesitate. At the cost of shedding three Secretaries of State, it abandoned the Bill, which it had hastily prepared in ten minutes, and fell back on the large, and more comprehensive, proposal with which it had been dallying since the autumn.

The Ten-minutes Bill abandoned,

The resignation of three important members naturally involved some alterations in the composition of the Cabinet. General Peel was succeeded at the War Office by Sir John Pakington, whose place at the Admiralty was supplied by Mr. Henry Corry, the Vice-President of the Council; Lord Cranborne was followed at the India Office by Sir Stafford Northcote, who was replaced at the Board of Trade by the Duke of Richmond; and Lord Carnarvon's post at the Colonial Office was filled by the Duke of Buckingham. Whatever preference the leader of the House of Commons may have felt for dukes, no man could doubt that Mr. Henry Corry, the Duke of Richmond, and the Duke of Buckingham were poor substitutes, either in the Council Chamber or in the Senate, for General Peel, Lord

and three Secretaries of State secede from the Cabinet.

[1] *Hansard*, vol. clxxxv. p. 966.

[2] Lord John Manners's words in *Memoirs of an Ex-Minister*, p. 628. Cf. Traill's *Lord Salisbury*, p. 79. Sir Edward Russell printed privately a pamphlet, *The Passing of Household Suffrage in 1867*, which gives, apparently on the authority of Mr. Graves, who represented Liverpool in the Conservative interest, the inner history of the meeting at the Carlton.

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Carnarvon, and Lord Cranborne. The reconstruction of the Cabinet, however, and the reconsideration of the Ministerial policy, naturally led to some delay; and the second edition of the Reform Bill, which it was now determined to issue, was not ready for introduction till the 18th of March.[1]

The new Bill.

The new Bill contemplated (1) the admission to the borough franchise of all householders rated for the relief of the poor, and (2) the reduction of the county franchise to householders rated at 15*l.* a year and upwards. But it tempered these concessions with certain 'fancy' or fantastic franchises. It proposed to give a vote to every man who had 30*l.* in a savings bank or 50*l.* in the funds, who paid 20*s.* in direct taxation, or who possessed certain educational qualifications. It even allowed the man who paid 20*s.* a year in direct taxation a dual or a second vote. It was further proposed, by the disfranchisement of some corrupt boroughs, and by depriving some other small boroughs of one of their two members, to secure thirty seats: fifteen of them it was proposed to assign to counties, fourteen to boroughs, and one to the University of London.

The scheme, as a whole, was founded on the distrust which property so frequently feels for numbers. According to Mr. Disraeli, indeed, the extension of the borough franchise would, at once, add 237,000 house-

[1] Mr. Disraeli, in the first instance, entrusted the draft of the Bill to his law officers and the parliamentary agents of the Conservative party. The draft, which was thus prepared, was rejected by the Cabinet, which, at the eleventh hour, took the course which it ought to have adopted at the beginning, and asked Sir H. Thring to prepare a new draft. These instructions were given to 'Sir H. Thring on the evening of Thursday, the 14th of March. The Bill was commenced on Friday, the 15th; taken down in shorthand between 10 A.M. and 6 P.M.; printed during the night of Friday; and laid before the Cabinet at 10 o'clock on Saturday morning. It was revised on Saturday afternoon, reconsidered on Monday, and circulated to the House of Commons on Tuesday. Present at revision of Bill, Walpole, Disraeli, Lambert, M. Corry, Thring.' *Sir H. Thring's memo. on original draft of Bill.* Lord Thring naturally, in his old age, looks back with pride on a feat which has probably never been accomplished by any other draftsman.

holders to the borough constituencies; but he estimated that the direct taxation franchise would add 200,000 votes, and the other fancy franchises 105,000 votes, in boroughs. In the same way the extension of the franchise in counties to occupiers rated at 15*l.* a year was calculated to add 171,000 county votes, while the direct taxation franchises, and the other fancy franchises, would supply some 200,000 new voters.[1] Thus it was Mr. Disraeli's obvious intention to extend the franchise by one part of his plan, and to neutralise its extension by the other.

Mr. Disraeli's anticipations hardly survived the speech in which the new plan was explained to a House already bewildered by the variations in the policy of its leaders. He had no sooner sat down than Mr. Gladstone rose, and, in a speech which held the attention of his audience, enumerated the points in which the measure was faulty, and in which it was essential that alterations should be made. He denounced the redistribution clauses as inadequate; avowed his implacable hostility to the dual vote; declared that the direct taxation franchise would lead to the fraudulent manufacture of votes, and demanded the institution of a lodger franchise. But his argument was chiefly occupied with demolishing the proposal that the franchise should be founded on rating. Parliament had passed the Small Tenements Act because, to quote its preamble, the collection of poor rates and highway rates assessed upon the occupiers of tenements of small annual value is expensive, difficult, and frequently impracticable; and it had left it to the ratepayers of parishes either to adopt or repudiate the provisions of the Act; but, if the Act were adopted, it had made it compulsory on those who levied the rates, to rate the landlord, and not the tenant. It would rest, therefore, with a parish vestry, and a vestry voting with a very high plurality

[1] *Hansard*, vol. clxxxvi. pp. 11–25.

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of votes, to determine whether the smaller householders in the parish should enjoy the franchise or not.[1] As he spoke, a suspicion gradually arose that the safeguards which the Bill proposed were destined to defeat, and that the Government would have to choose between the loss of their measure and its consequences, and the adoption of household suffrage in all its simplicity. Lord Cranborne, indeed, elicited from Mr. Disraeli, before the close of the debate, the avowal: 'The Government will never introduce household suffrage pure and simple.'[2] But the bold declaration, which would have afforded satisfaction to many a Conservative if it had come from any other Minister, inspired no confidence when it was uttered by Mr. Disraeli. Most people felt that the Minister who had endeavoured to deal with the subject of reform by vague resolutions, and who had subsequently produced two alternative schemes, could not be trusted to have a definite mind on the subject, or to adhere to any declaration which might be drawn from him in debate.

This conclusion became the more evident as the Session advanced. The debate on the second reading of the Bill, which was extended over only two nights, was perhaps, for its length, one of the most remarkable which has ever occupied the attention of Parliament; but its importance mainly depended on the speeches of Mr. Gladstone, who opened it, and of Mr. Disraeli, who brought it to a conclusion. Mr. Gladstone, in 1867, had shaken off the fears which he had expressed in 1866, of the danger of placing the working classes in a clear majority upon the constituency. Years afterwards, indeed, in discussing the point with one of his colleagues, he pointed out that, even in 1866, he had carefully guarded himself by the expression that such a proposal would not accord 'with the present view or

[1] *Hansard*, vol. clxxxvi. pp. 26–46. [2] *Ibid.*, p. 193.

expectation of Parliament.'[1] The present view or expectation of Parliament was very likely to be based on Mr. Gladstone's own opinion; and Mr. Gladstone, in 1867, was determined, if reform should come, that it should be broad and bold. With all the force of his vigorous rhetoric he again summed up the points on which the Bill of his rival was defective, and on which it must be amended: (1) a lodger franchise must be introduced; (2) the distinction between compound householders and other householders must be removed; (3) the direct taxation franchise must be omitted; (4) the dual vote must be abandoned; (5) the redistribution proposal must be enlarged; (6) the county franchise must be reduced; (7) the optional use of voting papers must be given up; and (8) the fancy franchises would present so many difficulties that they must entirely disappear.[2] In his reply, Mr. Disraeli used all the artifices of a debater to cover the surrender which he must have already seen was slowly approaching. Thus he pleaded that he could not be hostile to the lodger franchise, which was an invention of his own, and which was only not included in the Bill because it was inconsistent with a scheme which was founded on the principle of rating. And thus he similarly pleaded that the taxation franchise was borrowed from the Act of 1854, on which Mr. Gladstone must have been consulted: 'There can be no doubt that the right hon. gentleman was the constructor of the franchise founded on direct taxation.'[3] Having thus prepared the way for the ultimate adoption of a franchise which was an invention of his own, and for the surrender of a franchise which he had borrowed from his rival, he lightened the Ministerial ship by throwing overboard the Jonah of the dual vote. No one had had a good word to say for the dual vote.

Mr. Gladstone's speech on the second reading.

[1] *Hansard*, vol. clxxxii. p. 52. [2] *Ibid.*, vol. clxxxvi. p. 475.
[3] *Ibid* pp. 646 and 653.

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It had been condemned by their opponents; it had been denounced as impracticable by their supporters. 'As practical men with a duty to fulfil'—the passing of the Bill—it would be 'worse than idle to persist against such opposition.' And so, before the Bill reached the committee stage, with no hostile amendment to overcome, one of the chief safeguards in its original draft—one of the famous devices which was to justify the degradation of the franchise—was dropped without a word of apology or regret.[1]

Mr. Disraeli's conduct on the 26th of March was only a preface to the series of surrenders which subsequently took place. On the 2nd of May, the House resolved, by a considerable majority,[2] to substitute twelve months' residence for the two years required in the Bill as a qualification for the franchise. On the 6th, Mr. Disraeli practically accepted a lodger franchise.[3] On the 27th, he consented to reduce the county franchise from a 15*l.* to a 12*l.* rating.[4] On the 31st of May, he increased the measure of redistribution by submitting to a decision which involved the semi-disfranchisement of all boroughs with a population of less than 10,000;[5] and the fantastic devices for franchises based on education, on taxation, or on property, disappeared at various times almost without an apology. But the longest contest took place over the compound householder. Mr. Gladstone, at a very early stage in the struggle, had indicated a solution which appeared to him to be possible: to draw a line, say, at a 5*l.* rating, above which all householders should be rated and have votes, and below which all householders should be exempt from rates and have no votes. This proposal would have done something to exclude from the franchise the small class,

The compound householder.

[1] *Hansard*, vol. clxxxvi. p. 663. The Cabinet had decided four days before to give up the dual vote. *Memoirs of an Ex-Minister*, p. 629.

[2] *Hansard*, vol. clxxxvi. p. 1908.

[3] *Ibid.*, vol. clxxxvii. p. 43.

[4] *Ibid.*, p. 1163.

[5] *Ibid.*, p. 1429.

which Mr. Bright had called the 'residuum,'[1] and which existed in every constituency in a state of 'almost hopeless poverty and dependence.' But a large section of the Liberal party disliked a proposal which was less liberal than that of their opponents, which drew a broad distinction between two classes of householders, and deprived those below a certain line of privileges and duties. These dissentients, happening to meet in the tea-room of the House of Commons, were nicknamed the Tea-room Party. Their attitude compelled Mr. Gladstone to assent to the withdrawal of an instruction to the committee, which it had been arranged that Mr. Coleridge should propose,[2] and led to his defeat on the first amendment which he moved on going into committee.[3] Mr. Gladstone was so discouraged by this defeat, that he announced, in a letter to Mr. Crawford, one of the members for the City of London, that he should not move the other amendment that stood in his name.[4] He was, however, nearer a victory than he imagined at that time. On the 17th of May, Mr. Hodgkinson, the member for Newark, proposed that, in a parliamentary borough, no one except the occupier should be rated. In words, the amendment still left the franchise founded on that principle of personal rating, which Mr. Disraeli had declared was the basis of the Bill; in effect, it abolished the compound

[1] *Hansard*, vol. clxxxvi. p. 637.

[2] More accurately, to the latter part of the instruction. *Ibid.*, p. 1269. Lord Selborne says that Mr. Gladstone would have been ready to oppose Mr. Disraeli's Bill as a whole; but when a meeting was called to take counsel on the situation, it became apparent that this could not be done. *Personal and Political Memoirs*, vol. i. p. 68; cf. Morley's *Life of Gladstone*, vol. ii. p. 223 *seq.*

[3] The amendment was to secure the householder, who paid his rates through his landlord, a vote. *Ibid.*, p. 1699. It was defeated by 310 to 289. The division was a very strange one: Conservatives like Lord Cranborne and Mr. Beresford Hope, and Adullamites like Mr. Lowe, supporting Mr. Gladstone; while Liberals like Mr. Roebuck and Mr. Dillwyn, Adullamites like Lord Grosvenor, and dissentient Conservatives like General Peel, supported the Government. *Ibid.*, pp. 1699–1703.

[4] For the letter, see the *Times* 22nd of April, 1867.

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householder in the parliamentary borough, and introduced that system of household suffrage, pure and simple, which Mr. Disraeli had pledged himself never to accept. At any rate, he professed himself ready to accept the amendment.[1]

This concession made it certain that the Bill would pass the House of Commons; but it was certain also that it would pass in the shape on which Mr. Gladstone had insisted, and not in that in which it had originally been presented by its authors. Mr. Gladstone had foreseen, at a very early period of the struggle, that, 'provided an adequate pressure [were] brought to bear on the Government, the concessions would be sufficient to give effect to the purpose [which the Opposition had] in view: that of making a good Bill out of a bad Bill.'[2] And his forecast had been fully justified. All the points, on which he had insisted that amendments were necessary, had been virtually conceded, and the latest edition of the Bill bore little or no resemblance to the first. Yet, if the result of the struggle had been in favour of Mr. Gladstone's original contention, success in debate had rewarded the exertions of his rival. Mr. Gladstone had enforced his principles, but he had shattered his party. Mr. Disraeli had sacrificed his original proposals, but he had consolidated his followers. Mr. Gladstone, as the result of his great exertions, was filled with disgust and mortification at the defection of his friends, and was even contemplating a withdrawal from his position on the front Opposition bench; while Mr. Disraeli was quietly smiling at the attacks which were showered on him by such men as Lord Cranborne and Mr. Lowe, and was, perhaps, conscious that his dexterous management had given him an authority which he had never previously secured.

[1] *Hansard*, vol. clxxxvii. p. 720.

[2] See his language at a meeting of the Liberal party. *Times*, 6th of April, 1867.

In the meanwhile, the Bill passed from the control of the House of Commons to the House of Lords. Its treatment in that House need not be related at much length. Lord Derby used the great influence which he possessed to induce the Peers to accept the decision of the House of Commons. It was even said that he defended the measure in private by observing, 'Don't you see how it has dished the Whigs?'[1] He, at any rate, avowed, on parting with the Bill on the third reading, that 'we are making a great experiment, and taking a leap in the dark.'[2] Lord Derby's own biographer is in doubt whether he originated the famous phrase himself, or borrowed it from Lord Cranborne.[3] It is never very safe to pronounce an opinion on the true source of an expression; but the phrase had, at any rate, been applied by Mr. Disraeli to the Reform Bill of 1866,[4] sixteen months before Lord Derby's use of it gave it a permanent place in political literature, and twelve months before Lord Cranborne had himself used it as applicable to the Bill of 1867.

The Bill passed.

The passing of the Reform Act of 1867—the 'shooting Niagara,' as Mr. Carlyle described it—was regarded at the time, and will perhaps be regarded for all time, quite differently by different classes of persons. Some there are, no doubt, who genuinely distrust the people as a body, who believe that the great masses of the population have neither the material stake in the country, nor even the political knowledge, which fits them to make a right exercise of the electoral franchise, and who consequently feel with Mr. Lowe that power

[1] See Lord Granville's speech, *ibid.*, vol. clxxviii. p. 1858. It is remarkable that Lord Derby subsequently noticed Lord Granville's observation, but did not contradict it. *Ibid.*, p. 2025.

[2] *Ibid.*, vol. clxxxix. p. 952.

[3] Saintsbury's *Lord Derby*, p. 175.

[4] For Mr. Disraeli's use of the phrase, *Hansard*, vol. clxxxii. p. 855; for Lord Cranborne's, *ibid.*, vol. clxxxvi. p. 84.

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should be placed in the hands of a minority qualified by education and wealth to use it rightly. Others, happily, there are whose whole opinions are founded on a deep conviction that the people, in the long run, may be trusted to do what is right; and that, so far from multitudes being more easily swayed than individuals by sudden gusts of ill-considered passion, the opinion of ten men is generally sounder than the opinion of one man, the opinion of a thousand men than the opinion of ten, the opinion of a million than that of a thousand. These men, moreover, believe that, if the working classes in 1867 were hardly fitted by experience, or by education, to decide grave national or international questions, the possession of the franchise exerts an educating influence which no schools and no teachers can supply, and raises the standard of the class to whom it is entrusted. These men, then, will rest a wide Reform Act on generous ground, and will not require to be convinced of its expediency by the consequences of its refusal. Yet the lessons of 1866–67 are surely convincing on this point. Society—so taught 1866—may succeed in resisting reform; but Demos pulls down Hyde Park railings, and Society, in 1867, yields in a panic.

The conduct of the Government.

If, however, it is hardly necessary to defend the great measure of enfranchisement, it is difficult to justify the conduct of the Government which carried it. There was indeed no reason why a Conservative Ministry should not have introduced and passed a genuine Reform Bill. They had shown their readiness to deal with the subject eight years before; and there was nothing to prevent them from doing in 1867 what they had attempted to do in 1859. But it was not open for any Ministry, which had any respect for its principles or its pledges, to act as the Conservative Government, under Lord Derby's and Mr. Disraeli's

guidance, acted in 1867. Even if it be possible to excuse the ludicrous incident of the ten minutes' Bill, there is no excuse for the conduct of the Ministry in offering household suffrage on conditions or safeguards in March, and in surrendering all those safeguards in succession in May and June. Mr. Disraeli, indeed, with an effrontery which was unusual even in himself, subsequently declared that he had to prepare the mind of the country and to educate his party.[1] If that be a true apology for what happened, it is permissible to reply that he prepared the country and educated his party by sacrificing his pledges to place and his principles to power. There was force in the stinging epigram of an anonymous writer, who was destined to rise to a high place in the House of Commons, and who said of the Government in the 'Times,' 'It is not a party they have destroyed, it is a creed that they have annihilated.'[2]

Twice before, indeed, in the nineteenth century, the Tory party had executed, under the guidance of its leaders, a similar manœuvre. In 1829 it had yielded on Roman Catholic emancipation, in 1846 it had conceded free trade in corn. In 1846, by a singular coincidence, the conduct of the Minister who had changed his views had been fiercely assailed by the statesman who was the chief actor in the great surrender of 1867. Yet the conduct of Sir R. Peel was as straightforward, as that of Mr. Disraeli was the reverse. The Minister of 1846, convinced, rightly or wrongly, of the necessity of a great economical revolution, asserted his opinion, and, when his opponents failed to form a Ministry, moved straight to his goal. Mr. Disraeli, on the other hand, if he was convinced of the necessity of instituting

[1] Lord Beaconsfield's *Speeches*, vol. ii. p. 479.

[2] See the letter over the well-known signature H. in the *Times* of the 2nd of May, 1867.

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household suffrage in 1867, certainly adopted a peculiar method of displaying his opinions; for, instead of introducing a measure which would have accomplished that end, he introduced a Bill which would unquestionably have defeated it.

Mr. Gladstone.

The fact, however, is that, if the first edition of the Reform Bill of 1867 was the work of Lord Derby, Mr. Disraeli, and the Conservative Cabinet, the last edition of the measure was the work of Mr. Gladstone. Mr. Gladstone had, no doubt, many difficulties to encounter. His party was disorganised; he was himself regarded by some of his followers with distrust. And cave and tea-room formed convenient refuges for the discontented to frequent. Yet Mr. Gladstone, in this memorable Session, succeeded in making all the alterations in the Bill which he declared in the debate on the second reading to be necessary. And if, therefore, to Mr. Disraeli attaches the blame of surrendering, one after another, the securities and safeguards, on which he professed that he relied, to Mr. Gladstone belongs the credit of carrying the changes which he pronounced to be indispensable for the conversion of a bad Bill into a good one.

The Reform League and Hyde Park.

While the debates on the Reform Bill were still in progress, the more orderly classes of society were alarmed by an intimation that the Reform League proposed to convene another meeting in Hyde Park. It was the original intention of the League to hold it during the Easter recess on Good Friday; but the objections, which many religious people felt to a demonstration on such a day, induced its organisers to postpone it till the 6th of May. The announcement placed the Government in a position of considerable difficulty. Relying on the League accepting the offer which it had made in the previous summer, that the right of meeting in the parks should be determined in a

court of law, the Cabinet had hesitated to introduce any Bill into the House to declare or amend the law. It was not, therefore, armed with any machinery, other than that which it had possessed in the previous summer, for preventing the meeting. In these circumstances it would have been perhaps wise to recognise its impotence, and to acquiesce in a demonstration which it had practically no power to prevent. And this course, if the decision had rested with him, would undoubtedly have been taken by the Secretary of State. The importance of the subject, however, and the experience of the previous year, naturally induced him to refer the whole subject to the Cabinet; and the Cabinet decided that notices should be issued warning persons of the consequences of attending the meeting.[1] These notices were not unnaturally understood to imply that the Government intended to prevent the meeting. But, the more the circumstances were considered, the more it seemed impossible to do anything of the kind; and the Cabinet at last decided, at the eleventh hour, to introduce a Bill more effectually to secure the parks for the recreation and enjoyment of her Majesty's subjects. The introduction of the Bill induced the belief that the Government had no particular confidence in its own powers to suppress the meeting; and, in a discussion which was raised in the House of Commons, the Home Secretary, acting under the instructions of the Prime

[1] *Hansard*, vol. clxxxvii. p. 225. It was originally intended that this notice should take the form of a royal proclamation; and in preparing a draft for the purpose, the law officers referred to the threats which had been made on behalf of the League that 'force' would be used if entrance to the parks were denied. The law officers added, however, that, if it were thought inexpedient to refer to these threats, 'the proclamation would, in effect, be little more than a notice not to commit a civil trespass, and this, we think, is not a purpose for which a royal proclamation ought to be issued.' In accordance with these suggestions, the proclamation was turned into a notice, which was drawn by Sir H. Thring, on whose advice, however, the word 'illegal' was omitted from it. The papers, on which this note is based, are in my possession.

CHAP. IX. 1867.

Minister and of the Cabinet, steadily refused to explain what the Government proposed to do; while the Chancellor of the Exchequer, interposing later on, declined to say more than that precautions had been taken 'adequate to preserve the peace of the metropolis.'[1]

The decision of the Government.

In accordance with the Cabinet's decision, the meeting was suffered to be held, and the police were even instructed, so long as it was conducted in an orderly and peaceable manner, to do nothing to risk a collision with the people.[2] The reformers, having their way, naturally refrained from all disorder; and, though thousands of special constables were sworn in, and large numbers of troops were held in reserve (precautions were taken that the military preparations should be screened from public view), nothing notable occurred. A fine summer evening, indeed, induced large numbers of persons to attend the meeting; but the proceedings were perfectly quiet, and perhaps a little tame. The conduct of the Government had deprived the most disorderly of even an excuse for disorder.

If the attitude of the Government appeased the reformers, it was not equally acceptable to the upper classes of society. They had undoubtedly desired that the rights of the Crown should be asserted, and that the parks should be kept free from political meetings. The wrath of these classes fell on the Home Secretary. He had already incurred some unpopularity from his refusal to revise a sentence which had been passed

[1] *Hansard*, vol. clxxxvi. pp. 1969, 1972. Lord Derby said afterwards: 'I certainly did not think it necessary or expedient, on the Friday evening, when my right hon. friend [Mr. Walpole] was questioned as to what course was to be pursued, that he should publicly and openly declare to all parties who were concerned, that the Government had no power to do anything except proceed for trespass. I did not think it expedient to say to those persons, "You may hold your meeting in defiance of the Government with perfect impunity." I preferred that the course of the Government should be left to their discretion, instead of giving notice that, although the holding of the meeting was prohibited, it was not our intention to take any steps whatever.' *Hansard*, vol. clxxxvii. pp. 225, 226.

[2] *Ibid.*, p. 226.

on a man at Reading for a criminal assault on a lady.[1] His conduct in allowing the Hyde Park meeting was regarded as an additional proof that he was unequal to the duties of his high office; and, yielding to the storm, he placed his resignation in the Prime Minister's hands, consenting, however, to retain a seat in the Cabinet, without the responsibility which attaches to departmental office. In communicating his resignation to the House of Lords, the Prime Minister spoke in generous language of the services which he had received from an 'amiable, honourable, and conscientious' colleague. With equal justice, he admitted that the responsibility for all that had occurred rested with the Cabinet, and not with the Home Secretary.[2] Mr. Disraeli, four days later, expressed in the House of Commons his sense of the Home Secretary's worth,[3] though he had not the generosity to add that the responsibility for what had occurred rested quite as much with himself as with the Secretary of State. Perhaps it may be permissible for the present writer to add, that, however much Mr. Walpole may have been touched by Lord Derby's language, he did not attach equal significance to Mr. Disraeli's tribute, for he had been assured on authority which commanded respect, and which he implicitly believed, that the chief attack upon him in the leading journal had been inspired by Mr. Disraeli himself; and he consequently considered that he had been driven from office by the leader to whom he had a right to look for support.[4]

The Home Secretary resigns.

[1] See, *inter alia*, an article in the *Times* of the 6th of April, 1867, and the debate on the Toomer case in *Hansard*, vol. clxxxvi. p. 1203.

[2] *Ibid.*, vol. clxxxvii. p. 218.

[3] *Ibid.*, p. 398.

[4] I am, to some extent, drawing on my recollection of what occurred in 1867. But I was reminded of the whole circumstances by my father in the latter years of his life. It was my father's firm conviction of the truth of this story, which made him strenuously refuse to continue in the Cabinet when Mr. Disraeli became Prime Minister in 1868. He would not consent to serve under a colleague who, he thought, had treated him so badly.

CHAP. IX. 1868.

The passage of the English Reform Bill, the debates on which had occupied the chief time of the Session of 1867, was necessarily followed, in 1868, by supplemental measures dealing with Scotland and Ireland.

The Scotch Reform Bill.

The Bill, which was introduced to deal with the Scottish representation, proposed to apply to that country the principles which had already been adopted in England. It extended the franchise in boroughs to all rate-paying householders; it provided for the enfranchisement of lodgers, and it instituted in counties an ownership franchise of 5*l.*, and an occupation franchise of 12*l.* As the Bill was originally drawn, it proposed to increase the numbers of the House of Commons by seven members, assigning two of the new seats to Scottish universities, three of them to three large counties, and the remaining two to Glasgow and a group of populous towns in South-western Scotland. In the course of the debates on the Bill, however, strong objection was taken to increasing the numbers of the House; and a motion was finally carried against the Government, instructing the committee to obtain the necessary seats by the disfranchisement of small English boroughs with less than 5,000 inhabitants. The Government also failed in an endeavour to apply to Scotland the rate-paying clause on which so long a battle had raged on the English Bill. But Mr. Disraeli was, by this time, accustomed to defeat; and he accepted a decision which he had no power of resisting, merely stipulating that the occupation franchise in counties should be raised from 12*l.* to 14*l.* On the other hand, the Government was successful in resisting any further addition to the representation of Scotland; and it succeeded in engrafting on the Bill a principle which it had already applied to England: that in places, like Glasgow, returning three members of Parliament—three-cornered constituencies, as it became customary

to call them—each elector should have only two votes.[1] A member was also ultimately assigned to Dundee, instead of to the group of towns in South-western Scotland to which it had been proposed originally to assign one of the new representatives.[2]

The Irish Reform Bill.

The Irish Reform Bill provoked equal differences of opinion. The Government proposed to confer the franchise in boroughs on 4*l.* and in counties on 12*l.* householders,[3] to throw certain boroughs into the counties in which they were situated, to disfranchise the borough of Portarlington, and to assign the seat thus set free to Dublin. The redistribution proposals, such as they were, were received so unfavourably that they were withdrawn; and the Bill, in its final shape, merely dealt with the franchise. The Opposition loudly proclaimed that the measure, in this respect, was ungenerous; that a 12*l.* county franchise in Ireland was equivalent to a 30*l.* franchise in England, and that it ought to be extended. The Irish, however, found that English and Scottish members were much more interested in preparing the way for the coming dissolution, than in redressing the inequalities of Irish franchises; and the Government, having lightened their ship by throwing the redistribution clauses overboard, had not much difficulty in securing the assent of Parliament to the franchises which they had proposed.[4]

The trial of election petitions.

One other task, connected with the great question of parliamentary representation, still remained for settle-

[1] For the introduction of the Bill, *Hansard*, vol. cxc. p. 811. For Mr. Baxter's amendment, for the disfranchisement of the smaller English boroughs, *ibid.*, vol. cxcii. pp. 435–461. The English boroughs disfranchised by the Bill were: Arundel, Ashburton, Dartmouth, Honiton, Lyme Regis, Thetford, and Wells. The Scotch Reform Act is the 31 & 32 Vict., cap. 48.

[2] 31 & 32 Vict., c. 48, sect. 9; and cf. *Ann. Reg.*, 1868, Hist., p. 19.

[3] In Ireland, with the exception of five towns, the owner was liable for the whole poor rate on houses rated at or under 4*l.*

[4] For the Irish Reform Bill, *Hansard*, vol. cxc. p. 1940; and see 31 & 32 Vict., c. 49.

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ment. For years past, the attention of the public had been directed to the manner in which election petitions, or petitions alleging that elections were void through the misconduct of the successful candidates, were dealt with. But the House of Commons had hitherto considered that it was its special prerogative to exercise an exclusive jurisdiction over all questions affecting the election of its own members. In 1867, however, a select committee of the House of Commons had the good sense to recommend that, in order effectually to grapple with the great evil of electoral corruption, the jurisdiction, which had hitherto been discharged by the House, should be transferred to the judges of the superior courts; that the judge, before whom the case should be brought, should have power to decide both on the facts and on the law, and should further have power to report on the prevalence of bribery or corruption at the election, so that the House might deal with it in such way as it thought proper.

The proposal was favourably received, both by the House itself and by the public out of doors. But it was opposed by the judges. They declared that the new duty would bring discredit on their office, and expose them to suspicions of political bias, from which it was most desirable that they should be free. These objections, enforced by the Lord Chief Justice of England in a letter[1] to the Prime Minister, induced the Government to give way. And Mr. Disraeli, reluctantly withdrawing his original plan, proposed the constitution of a special court of three persons for the trial of election petitions, to whose jurisdiction some other cognate matters might be referred. The new proposal, however, did not commend itself either to the House or to the public; and Mr. Disraeli had to come forward with a third plan, under which two judges of the

[1] *Hansard*, vol. cxciii. p. 1007.

superior courts were to be specially selected to try election petitions, and to cease, on their appointment, to act as judges of the ordinary courts, and to become members of the Judicial Committee of the Privy Council. The criticisms on the third proposal eventually led to a fourth expedient, under which the trial of election petitions was to be conducted by a single judge selected from a rota formed by arrangement among the judges of the superior courts. The last expedient was practically a reproduction of the original recommendations of the committee. But the opposition of the judges was, to a certain extent, abated by enabling her Majesty, if it should prove necessary, to appoint an additional puisné judge in each court. Mr. Disraeli originally proposed to further gild the pill which he asked their Lordships to swallow, by awarding the judges selected for the purpose an increase of income of 500*l.* per annum,[1] but this proposal was ultimately rejected by the House;[2] and the judges were at any rate relieved by the decision from the imputation that they had been bribed into accepting a duty against which they had protested on principle.[3]

The Bill reflected little credit on the Government, which had trimmed its sails to avoid any chance gust of hostile criticism; and it did not increase the reputation of the judges for political perspicacity. For the fears of the judges proved as groundless as their protest. They lost no influence from their discharge of a novel duty; on the contrary, they gained a new claim to confidence from their impartiality in fulfilling a function, in which parliamentary committees had never been free from the suspicion of partiality. Electoral corruption seemed, moreover, a little more discreditable when it was investigated by a judge, who was free from

[1] *Hansard*, vol. cxciii. p. 915.
[2] *Ibid.*, p. 1380.
[3] For the original introduction of the Bill, see *Hansard*, vol. cxc. p. 693. The Bill became the 31 & 32 Vict., c. 125.

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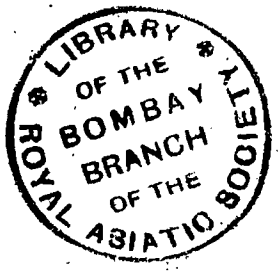
the taint of suspicion, than when it was inquired into by a committee whose members were all, more or less, inclined to condone guilt incurred in the interests of party. And perhaps the philosopher in his study may, some day or other, conclude that the Bill which referred election petitions to a judge, was as noteworthy a landmark in political history, as even the great measure of reform which entrusted political power to the people.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# CHAPTER X.

## THE GROWTH OF PRUSSIA AND THE DECLINE OF FRANCE.



THE war, which tore the Duchies of Holstein and Schleswig from the Kingdom of Denmark, set back the southern frontier of Scandinavia for all time. Thenceforward, the Eider could be no longer regarded as the northern frontier of the great confederation, which still in some measure represented the traditions of the Roman Empire. To the vanquished, defeat brought the consolation of peace. A tiny kingdom could not hope to reverse the verdict, which arms had pronounced; and Denmark had to submit to the many sacrifices which her conquerors imposed on her. The King, who began his reign in these unhappy circumstances, was destined before the close of his long life to derive some compensation from the misfortunes of his kingdom in the greatness of his family. If the limits of his own kingdom were 'cabined, cribbed, confined,' his children and children's children were reigning over mighty empires. One daughter was the consort of the King who claims the allegiance of a fourth part of the human race; another daughter was the mother of the Emperor whose rule extends over the largest connected territory, which has ever fallen in the world's history to a single sceptre. Other men had amassed empire by conquest or marriage. He could boast that he was the ancestor of emperors and kings.

The consequences of the Danish war,

to Denmark,

If the future of Denmark had been decided by the fortunes of the war, the peace, by which hostilities had

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been concluded, had left everything uncertain. The lot of the very duchies, which had been the prize of the victors, was in itself doubtful. The conquerors, who had wrested the spoil from the vanquished, were looking one upon the other, with suspicion and distrust.

to Europe,

Further west, the Emperor, who had permitted the intervention of the great German powers, was hesitating between the old alliance with England, which had done so much for his dynasty, and the temptation which new alliances were already opening out to him in Eastern Europe.

to Great Britain,

This country, on her part, was feeling bitterly the sorry part which she had played throughout the business. Confronted with the prospect of inconvenient demands resulting from the American Civil War, and embarrassed by her strained relations with France, she was in a position of isolation which had few consolations to offer her. Under Lord Palmerston's auspices, she had drifted into a position where Russia was hostile, Prussia unfriendly, France estranged, and her great transatlantic kinsfolk angry. She had apparently no longer the power of enforcing her will on the nations. She had lost the pre-eminence in the council chambers of the world which the courage and perseverance of her sons in a previous generation had secured to her.

to Germany.

In Northern Germany, one question for the moment dominated all the others. Schleswig and Holstein had been wrested from Denmark: what was to become of Schleswig and Holstein? The natural result of the war was to place the Duke of Augustenburg on the throne of the duchies, and to incorporate them in the German Confederation. If Germany could have made her will felt in the closing months of 1864, her people would have undoubtedly adopted this solution of the question.[1]

[1] See Von Sybel, *Founding of the German Empire*, vol. iv. p. 32 *seq.* I have not thought it necessary, in a book which is mainly concerned

Esau might have sold his birthright for a mess of pottage; but Germany considered that Esau's son should not be deprived, in consequence, of the rights of his inheritance. And this view, which was prevalent in Germany, was adopted in Austria, the predominant German power. Austria, in fact, remote from Holstein, and only embarking on the war to maintain her influence in the German Diet, had an obvious interest in agreeing to a solution, which was, at once, acceptable to Germany, and unlikely to make any alteration in her own position. But the reasons which made Germany desire, and Austria adopt, this view, had no force with Prussia, or rather with the great Minister who was directing Prussian policy. Herr von Bismarck had no fancy for the formation of another little German state, which would bring no increase of strength or credit to Prussia; but he had a great longing for increasing Prussian predominance by the extension of Prussian territory. He was already talking of the Duke of Augustenburg as 'a pretender;' he was expressing doubts as to his rights;[1] and he was demanding from the Prince himself, as the conditions on which Prussia

Herr von Bismarck.

with the history of the English people, to trace the struggle between Austria and Prussia for the hegemony in Germany. It may perhaps be said to have culminated, on the eve of the Danish war, at the conference of princes in Frankfort in August 1863. At that conference Austria promulgated a policy, intended to strengthen the Diet, and to bind all its members together in a solemn undertaking to resist any attack on the soil of any German power. The King of Prussia was, with difficulty, restrained by Herr von Bismarck from attending this conference, and was persuaded by his Minister to refuse assent to its conclusions on the double ground, (i) that they placed Austria in too commanding a position, and (ii) that the delegates to the Diet were to be selected by the representative assemblies of the States, and not by the direct franchises of the German people. The refusal of Prussia to agree to the conclusions of the conference made them a dead letter; and, during the remainder of 1863, Austria, afraid of losing her influence in Germany, followed timidly the lead of Prussia. For the proceedings of the assembly of princes, see *ibid.*, vol. ii. p. 604 *seq.* The conclusions of the conference will be found in a convenient form in *Ann. Reg.*, 1863, Hist., p. 269 *seq.*

[1] 'J'ai des doutes sur les droits de ce prétendant.' Hansen, *Quinze Ans à l'Etranger, les Coulisses de la Diplomatie*, p. 35; and De la Gorce, *Histoire du Second Empire*, vol. iv. p. 516; cf. Benedetti, *Ma Mission en Prusse*, p. 16.

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could support his candidature, (i) the conversion of Rendsburg into a federal fortress, (ii) the establishment at Kiel of a Prussian marine station, (iii) the concession to Prussia of the right to construct a canal between the Baltic and the North Sea, (iv) a military convention virtually placing the control of the forces of the duchies in Prussian hands. The Prince, relying on the support of Austria, refused, as Herr von Bismarck probably expected him to refuse, these harsh conditions. 'Thanks to Divine Providence,' as the Prussian Minister put it, 'he would agree to nothing;' in other words, he would not comply with the outrageous demands which were being made on him; and Herr von Bismarck terminated the interview by telling him, with brutal but characteristic frankness, that 'the Prussians could wring the necks of the chickens which they had hatched.'[1] Thenceforward it was tolerably certain that, whatever else might happen, the Hereditary Prince of Augustenburg would not sit on the throne of the duchies. The strongest man in Europe had made up his mind that, in some form or other, the duchies should pass under the sway of Prussia; and neither the claims of the Prince, nor the wishes of the German people and of the leading German powers, could move him one inch from the policy at which he was aiming.

However bent Herr von Bismarck might be on carrying out his policy, he did not make the mistake of underrating the difficulties of his task. Months before, when he was contemplating aggression on the Eider, he had purchased the neutrality of Russia by proceedings which had outraged public opinion in Western Europe. In 1864, when he was medita-

[1] Busch's *Bismarck*, vol. i. p. 140, and cf. vol. ii. p. 33. The account, which is given by Busch, should be compared with that which is given by Prince Bismarck himself in *Reflections and Reminiscences*, vol. ii. pp. 30, 31. De la Gorce, *Histoire du Second Empire*, vol. iv. pp. 546, 548.

ting a policy which might possibly bring him into collision with his Austrian ally, he quietly held out the olive branch to France. An understanding with France offered a double advantage. In the first place, it left him free to carry out his policy without much risk of interference from any continental power; and, in the next place, it weakened this country by further straining its relations with the French Emperor. During the progress of the negotiations which had preceded the Danish war, Herr von Bismarck had seized every opportunity of drawing a distinction between France and England; but, in the summer of 1864, he took a much more decisive step with this object. On a visit, which he happened to pay at Vienna, he found himself at dinner in the company of the Duc de Gramont, the French Ambassador. After dinner he drew the Duke apart, and engaged him in conversation on the affairs of Europe. He gathered, so he said, from Sir Andrew Buchanan, the British Minister at Berlin, that Great Britain had offered to make large concessions to France for the sake of cementing the Anglo-French alliance.[1] He added, that he had told Sir A. Buchanan, in reply, that Great Britain would make a great mistake in stimulating France to a policy of adventure. What, in fact, had Great Britain to offer to France in return for such an alliance? Leave to enter on a ruinous war for the Rhenish provinces of Prussia. But the power, which could give the Rhenish provinces to France, was the power which possessed them; and, if France was disposed for a policy of adventure, Prussia, and not England, was the ally

His overtures to France.

His conversation with the Duc de Gramont.

[1] It will be observed that, in this conversation, Herr von Bismarck used the language which M. Rouher had held to Lord Clarendon (*ante*, vol. i. p. 438) as evidence of the concession which this country was prepared to make to France for its assistance in protecting Denmark against its assailant. He attributed, in fact, to Great Britain the language which had been held by France.

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which France should choose; for Prussia, though she had no desire for war, had more to gain from war than any other power, and could give a pledge that she would pay the necessary price for French assistance.

For the first time, Herr von Bismarck had thrown out the bait to French ambition, which he was to dangle before the eyes of the French Emperor for the next three years, and with which he was gradually to lure him to his ruin; and he had done this in an after-dinner conversation, by which he could not be bound, and which he knew was certain to be reported to Napoleon III. He desired, however, to give other countries some indication of the increasing friendliness of his own relations with France; and he, therefore, went on to say that Prussia contemplated sending her Minister of War, General von Roon, to Châlons, to be present at the summer manœuvres of the French army. How gladly, he added, would Prussia welcome in return any French officer whom the Emperor might select to witness the autumn manœuvres of the Prussian forces; but if the Emperor himself would deign to meet at Berlin his brother Emperors of Austria and Russia, that, indeed, would be the 'dream' of the King of Prussia.

It is difficult to exaggerate the dexterity of this overture. On the one hand, it held out a bait attractive to French ambition; on the other, it afforded a compliment to French pride. The Emperor was to be dazzled with the prospect of obtaining Prussian territory on the Rhine; and Prussia, with so much to offer, was only venturing to hope that she might be honoured with the presence of her powerful neighbour at her capital, if she could persuade his brother Emperors of Russia and Austria to make his reception more attractive. Napoleon III., on his part, met the advances of the Prussian Minister with unusual cordiality. He received General von Roon, on his arrival at Châlons,

General von Roon at Châlons.

with exceptional distinction. Never had military man, indeed, received a more friendly welcome from the sovereign of another country. When General von Roon took his leave, the Emperor went out of his way to pay him an unusual compliment. He presented him to the young Prince Imperial, and made the boy place the Grand Cordon of the Legion of Honour in General von Roon's hands. Perhaps in all history there is nothing more striking than this incident; for, six years later, on the anniversary of the very day on which the young Prince thus handed the Grand Cordon to the General, his father was to yield up his sword to the King of Prussia; the Duc de Gramont, whose conversation with Herr von Bismarck had preceded General von Roon's mission, was to be the minister charged with the negotiations which produced the war; and General von Roon was to be the officer responsible for the organisation of the great military machine by which France was to be crushed, and was already preparing for his task by studying in silence, at Châlons, the defects of the French military system.[1]

Herr von Bismarck in the Prussian Legislature.

Strengthened in his own position by the growing cordiality of his relations with France, Herr von Bismarck, early in 1865, ventured on a fresh move in the diplomatic game which he was playing. His King, in opening the Prussian Legislature, had referred in comparatively vague terms to the position of the duchies. Herr von Bismarck, in a despatch to the Prussian Ambassador at Vienna, undertook to translate into plain language the aspirations and ideas which the King had expressed from the throne. In doing so he again formulated the demands which he had

[1] An account of General von Roon's mission will be found in various places. See, *inter alia*, De la Gorce, *Histoire du Second Empire*, vol. iv. p. 548. But M. de la Gorce and other French writers omit to notice the dramatic circumstance, that the General received the Grand Cordon of the Legion of Honour on the day which, in after years, was to be known as the day of the Emperor's surrender at Sedan.

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already addressed to the Prince of Augustenburg. Prussia, so he was pleased to say, would not oppose the formation of the duchies into a separate state, if she were assured the command of the army and of the fleet, the control of the customs, and of the postal and telegraphic services. Prussia must also be free to construct a canal between the Baltic and the North Sea, to occupy Rendsburg with a Prussian garrison, and she must receive some portions of territory which were necessary to secure the due defence of her frontier.[1] This despatch was naturally regarded as equivalent to a demand for the annexation of the duchies to Prussia. If Prussia were placed in control of the military and naval forces of the duchies, their customs, their post office, and their telegraphs; if Prussian troops occupied their most important fortress, and the Prussian frontier was rectified at the dictation of the Prussian Minister, the Hereditary Prince of Augustenburg might be allowed to occupy a barren throne. It would be hardly worth Herr von Bismarck's while to wring the neck of the chicken whose wings he had so effectually clipped.

In 1865, however, neither Europe nor Germany had yet learned to appreciate the iron firmness of Herr von Bismarck's will. Statesmen had not yet discovered that it was necessary to take him seriously. His language was regarded as the ill-considered rhetoric of a man who had neither weight nor wisdom. It was thought that a Minister, who was equally unpopular in the Prussian Chambers and in the German Diet, was preparing his own fall. Such views induced Austrian statesmen to pay comparatively slight attention to Herr von Bismarck's language. They thought it sufficient to reply to the Prussian Minister's challenge by inducing the German Diet to pass a resolution in favour of the

The resolution of the German Diet.

[1] De la Gorce, *Histoire du Second Empire*, vol. iv. p. 555.

claims of the Hereditary Prince of Augustenburg.[1] Content, moreover, with this formal victory, they took no steps to enforce the vote which they had thus obtained. They made the mistake of assuming that the man, who for three years had been defying his own Legislature, would be restrained by an empty resolution of the German Diet.

Herr von Bismarck had already prepared himself for the resolution of the Diet. He had referred to his own law officers [2] the claims of the Prince of Augustenburg to the throne of the duchies, and he had received from these functionaries the opinion: that neither the Prince of Augustenburg nor any other claimant had any right to the duchies; that their only legitimate sovereign was the King of Denmark, and that the King had surrendered his right to Austria and Prussia. Armed with this opinion, Herr von Bismarck assumed a higher tone. He could, thenceforward, plead that the contention of Austria, which the Diet had affirmed, that the Prince of Augustenburg had a right to succeed to the duchies, was opposed to the opinion of his legal advisers; and he could, thenceforward, refuse to surrender to another, the rights which his own advisers had assured him had been transferred, by conquest, to his own master. At the watering-place of Carlsbad, where the King and his Minister were temporarily staying, Herr von Bismarck contrived to explain his new position. He told the Duc de Gramont, who happened to be also at Carlsbad, that Prussia could not recede, and that Austria must, therefore, give way. The Duc de Gramont,[3] perplexed at his language, and

[1] This resolution was passed on the 6th of April, 1865, by nine votes to six. De la Gorce, *Histoire du Second Empire*, vol. iv. p. 555; and cf. Von Sybel, *Founding of the German Empire*, vol. iv. p. 114.

[2] I have used the phrase 'law officers' because it conveys an appropriate idea to English readers; but the body which advised the Prussian Crown on such matters was a body of eighteen members, comprising judges, professors, privy councillors, and an attorney-general. *Ibid.*, p. 158.

[3] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 557.

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still uncertain of the character of the Prussian Minister, declared that he could not make out whether Herr von Bismarck thought more than he said, or said more than he thought. But the conversation was naturally repeated, as Count von Bismarck intended that it should be repeated, at Vienna, and the knowledge of it there produced a feeling of alarm. For the moment the two great German powers, unable to arrive at any agreement, drifted sullenly apart. There was every appearance that their difficulties might lead to an open rupture; and that the appropriation of the spoil, which war had given to Germany, might be determined by another war. An open quarrel, however, was temporarily avoided by an understanding between them, which resulted from a meeting of their Sovereigns at Gastein in August 1865. At Gastein, the claims of the Duke of Augustenburg were quietly abandoned; and Austria tacitly accepted the position, which the Prussian law officers had laid down, that Austria and Prussia had succeeded to the rights of the King of Denmark by the victory of their arms and the concession of their adversary. It became their plain interest, therefore, to divide, instead of quarrelling over the spoil; and it was decided that Austria should occupy Holstein, Prussia Schleswig, and that Prussia should obtain Lauenburg on the payment of $2\frac{1}{2}$ million thalers to Austria. So far the compromise seemed tolerably fair to both disputants. While, however, the Prussian occupation of Schleswig was to be unconditional, the Austrian occupation of Holstein was subjected to many conditions. Prussia was to have the right to two military roads across Holstein. She was to be empowered to construct across Holstein the canal which was to connect the Baltic with the German Ocean, and the duchies were to enter the Customs Union. These terms, which imposed on Austria some cost, and

The treaty of Gastein.

left to Prussia some profit, were only reluctantly conceded by the Austrian Minister. He was affording one more proof that, in the great game of international politics, the statesman who fears has no chance against the statesman who dares.[1]

The terms of the Gastein treaty were regarded with disfavour in every part of Europe. In Austria, the public regarded it as a victory for Prussia, and as a humiliation for their own country.[2] In Germany, it was denounced 'as a violation of all legal and moral principles.'[3] In France it became the text of a diplomatic circular, which, a German historian declared, 'could hardly be excelled in insulting rudeness.'[4] And, in England, Lord Russell supported and emphasised the criticisms of the French Government.[5] Nor could any fair critic be surprised at these hostile comments. Ostensibly, Austria and Prussia had gone to war to carry out a German programme, and to insure the union of the duchies as an independent German principality; and the treaty was disregarding the wishes of the Germans, was separating the provinces which had been pronounced

[1] The story goes, that the assent of the Austrian Minister, who signed the convention, was obtained by a characteristic proceeding on the part of the Prussian Minister. Count Blome, who represented Austria, considered that the game of quinze afforded a good opportunity of testing the recklessness or caution of a man's character. He challenged Herr von Bismarck, therefore, to a game of quinze. But, unfortunately for Count Blome, Herr von Bismarck was aware of the Count's purpose. He sat down accordingly to the table, played recklessly, and lost heavily. But the thalers which he lost were well laid out; for Count Blome judged his antagonist to be reckless, and signed the treaty. Busch's *Bismarck*, vol. i. p. 451. I have inserted this characteristic anecdote; but the proposal for the partition of Holstein and Schleswig seems to have been originally suggested by Count Blome. Von Sybel, *Founding of the German Empire*, vol. iv. p. 189.

[2] *Ibid.*, p. 221.

[3] *Ibid.*, p. 223. Cf. Ollivier: 'Les anciens députés et les députés des Chambres allemandes, à l'exception des Prusses devenus annexionnistes, constitués à Francfort en comité national, declarèrent que les droits du peuple Slesvig-Holstein étaient violés par la Convention de Gastein.' *L'Empire Libéral*, vol. viii. p. 3.

[4] Von Sybel, *Founding of the German Empire*, vol. iv. p. 238. M. de la Gorce says: 'M. Drouyn de Lhuys avait très durement exprimé sa désapprobation.' *Hist. du Second Empire*, vol. iv. p. 560.

[5] *Ibid.*, p. 239.

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indissoluble, and depriving them of their independence by handing them over to the two most powerful German States. The war had been entered on to enforce the rights of Germany: its issue was followed by an assertion of the might of the two chief German powers.

Austria probably imagined that she had secured peace by concession. Prussia, or Count von Bismarck —for, on the acquisition of Lauenburg, he was made a Count—merely regarded the treaty of Gastein as a new trick, which he had secured in the game he was playing. Prussia, from his point of view, had to be made predominant in Northern Germany; and Prussian preeminence could only be secured by the extrusion of Austria. In 1855, however, Austria was still regarded as one of the chief military powers of continental Europe; and military men in all parts of the Continent were agreed in thinking that the Prussian army would have no chance against Austrian troops. Count von Bismarck had a truer conception than his foreign critics of the worth of the Prussian army; but even he, in 1865, hesitated to embark, without allies, on a campaign against the whole power of Austria. There was one quarter, however, to which he could obviously look for assistance. Italy had not forgotten the promises of Plombières or the provisions of Villafranca. She was restlessly waiting for an opportunity to complete the work of 1859, and to carry her boundaries to the Adriatic. And the ink was hardly dry on the treaty of Gastein, before Count von Bismarck decided on feeling the pulse of the Italian rulers.

Count von Bismarck approaches Italy.

Since 1860, when Italy had become a kingdom, she had passed through many vicissitudes, and suffered many changes of fortune. In 1861, on the immediate morrow of her triumph, she had lost the great man to

whom she had mainly owed her freedom. The death of Count Cavour undoubtedly removed the greatest figure from European politics. No man in Europe in the nineteenth century had done a greater work. No man, in any century, had wrought more successfully in unpromising or difficult conditions. The policy which Count Cavour had pursued was, however, imitated by his successors. These men laboured, in different ways and with varying success, to enlarge the edifice which Count Cavour had built.

Italian politics from 1860 to 1865.

Two things were obviously necessary before the union of Italy could be regarded as complete. Every patriotic Italian desired to liberate Venice from the bondage of the Austrians; and every patriotic Italian looked to Rome as the only possible capital of a united Italy. But, in Venice, Austria remained impregnably entrenched; in Rome, the troops of France protected the Pope against spoliation. From the date of Count Cavour's death in 1861 to September 1864, the acquisition of Rome, which Count Cavour had declared in the first Italian Parliament was the natural capital of Italy,[1] was the chief object of Italian patriotism. The grave in which Count Cavour was buried, was hardly cold before M. Ricasoli, who succeeded him, sent Count Arese to Paris in the hope of persuading the Government of Napoleon to fix a date for the evacuation of the famous city. M. Rattazzi, who succeeded M. Ricasoli in the spring of 1862, tried to obtain—though more cautiously—the object for which M. Ricasoli had keenly striven. Both Ministers were met with the same difficulty. Napoleon III. hesitated, as Garrick the actor, in Sir Joshua Reynolds's picture, hesitates between the rival claims of Tragedy and Comedy. He could not make up his mind to choose between the Pope, to whom he thought his honour

[1] Probyn, *Italy*, p. 295.

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General Garibaldi's new raid checked at Aspromonte.

pledged,[1] and the new Italian kingdom, which attracted his sympathies. While he hesitated, a man of action tried to solve the difficulty by the sword. General Garibaldi, encouraged by the recollection of his former success, landed in Sicily, crossed the Straits of Messina, and, with the battle cry of 'Roma o morte!' moved to the north. General Garibaldi, however, soon learned that it was one thing to attack the rotten government of Bombino, and another to invade the territory of a united Italy. His progress was checked by Italian troops at Aspromonte: he was himself wounded and taken prisoner.[2]

In one sense, General Garibaldi's new enterprise had ended in failure: in another, it gave a fresh impulse to the movement which he had desired to precipitate. The dreamer of the Tuileries was tardily convinced that it was no longer safe to continue a policy of hesitation. He emphasised a new policy by a change of men. M. Drouyn de Lhuys succeeded M. Thouvenel at the Foreign Office; M. de la Tour d'Auvergne replaced M. de La Valette (the successor of the Duc de Gramont) at Rome. In the spring of 1864, the Emperor had endeavoured to arrive at an understanding with the Pope; in the summer, he addressed himself to the Court of Turin; and, in September of that year, he concluded a treaty —which the French know as the convention of the 15th of September, 1864—under which Italy engaged to refrain from any attack on the actual territory of the Holy See, and France agreed to withdraw her garrison from Rome in two years. But this—the apparent—object of the treaty was accompanied by another provision, which bound the King of Italy to transfer his capital from Turin to some other Italian town. And both those who approved, and those who disliked, the

[1] 'L'Empereur, avec le pape actuel, se considère comme engagé d'honneur.' De la Gorce, *Histoire du Second Empire*, vol. iv. p. 156.

[2] *Ibid.*, pp. 173, 174.

new convention, realised that its true importance was to be found in this clause. Both saw that there was only one town in Italy—other than Rome—which from its situation and its association could serve as the new capital. If the seat of government were transferred from Turin, and not fixed at Rome, it must be placed in the beautiful city on the Arno which had given Machiavelli to Italian statecraft, and Dante to Italian literature. But while Napoleon, and those who thought with him, considered that, if Florence were made the capital, the Italians might be persuaded to wait in patience, and might even prefer the attractions of the city of flowers to the severer grandeurs of the ancient mistress of the world, Italian patriots regarded the arrangement as a mere stage in a journey. Florence, from their point of view, could only be accepted as a stepping stone to Rome.

The convention of September 1864.

The immediate effect of the convention, however, fulfilled the expectation of its Imperial author. It postponed, for two years, any agitation for the further removal of the capital. It gave a new direction to the aspirations of Italian patriots, and turned the current of their thoughts from the Tiber to the Adriatic.[1]

The desire to fulfil the promises of Plombières, by adding Venice to the kingdom of Italy, had never been absent from the minds of Italian statesmen or of the diplomatists of Western Europe. Some men there were who imagined that this result might be accomplished by negotiation, and that Austria might be induced to surrender Venetia in exchange for the principalities on the Danube, whose future at that time was causing anxiety.[2] Others, on the contrary, with a truer perception

Italy and Venice.

[1] 'En promettant de transférer le siège du gouvernement à Florence les conseillers de Victor Emanuel [renonçaient] au programme qui avait proclamé Rome capitale.' *Un peu plus de Lumière.* De la Gorce, *Histoire du Second Empire*, vol. iv. p. 535.

[2] See Count Pasolini's *Memoirs*, pp. 272–296.

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of the situation, foresaw that force alone could overcome the pride of the Hapsburgs, and that the true policy of Italy was to take advantage of any European complication, and strike a fresh blow for the cause of Italian unity. With this object, when Napoleon III. was confronted with the embarrassment of the Polish rebellion, Italy had offered him the assistance of 200,000 men.[1] With the same object, in the earlier days of Herr von Bismarck's Ministry, she had privately assured the Prussian statesman that, in the event of his embarking on a war with Austria, Prussia might rely on Italian support.[2]

Count von Bismarck's overture to Italy.

It was natural, therefore, that Count von Bismarck, meditating a new war against an old ally, should look towards Italy for assistance. The Cabinet of the King of Italy had been frequently changed since the death of Count Cavour. The first place in it had been filled, in turn, by Ricasoli, Rattazzi, Farini, Minghetti, and La Marmora. General La Marmora, who presided over it in 1865, was, of course, the stout soldier, who had commanded the Piedmontese contingent in the Crimea, and the Piedmontese army in the war of 1859. When, in August 1865, Count von Bismarck decided on sending a special mission to Italy to ascertain the part which Italy would play in the event of war breaking out between the two German powers, General La Marmora, in receiving the envoy, with difficulty succeeded in concealing his emotion. But he had the wisdom to restrain himself, and coldly answer that, if Prussia made a serious offer, it should be carefully considered.[3] The Prussian envoy, disconcerted by this reply, boldly declared that Prussia had made up her mind for war.

[1] Count Pasolini's *Memoirs*, p. 253.

[2] *Ibid.*, p. 238.

[3] La Marmora, *Un peu plus de Lumière*, pp. 52, 53; De la Gorce, *Hist. du Second Empire*, vol. iv. p. 537; cf. Von Sybel, *Founding of the German Empire*, vol. iv. p. 203.

But General La Marmora, recollecting that a similar inquiry in 1862 had been followed by a Prusso-Austrian alliance, cynically answered that no one regarded seriously the measures which Prussia was taking against Austria. So little did Austria herself think of them, that she was actually disarming. As to Italy, she could not commit herself to any policy without an understanding with Napoleon. He presumed that Prussia also, before taking any decisive step, would think it wise to feel her way at Paris. This reply convinced Count von Bismarck that his first overture must be made, not to Italy, but to France; and, on a mission of such importance, he did not dare to trust an agent. He decided on going to Napoleon himself.

Count von Bismarck at Biarritz

Count von Bismarck was, of course, no stranger to the Emperor of the French. He had represented his country at Paris; he had naturally made the Emperor's acquaintance; and the acquaintance had been renewed in later years. But, though the Emperor had thus enjoyed some opportunity of studying the Prussian Minister's character, he had, strangely enough, formed a low opinion of his abilities.[1] He probably considered that he was himself more than a match for the Count; and he commenced, with a light heart, the long negotiation, in which he was to be involved in constant discomfiture, and which was to lead to his ruin.

In the great game of European politics, in which the two men were about to engage, the characters of the players soon made themselves visible. The Emperor, on his side, presented a curious spectacle. Longing, on the one hand, to accomplish the dreams of his youth, and to realise the ideas which his dreams had inspired, his first object was to crown the work, which he had commenced in 1859, and to give Venice to Italy. But, while this dream or this idea was always present

[1] Jacks, *Life of Bismarck*, p. 123.

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in his mind, it only partially influenced his policy. Resolute and irresolute by turns, he vibrated between action and inaction, and was always ready to postpone to the morrow the decision which he should have formed on the day. He could never bring himself to take the step, which would secure what he required, or realise his dream. He let himself drift on the sea of chance. He even allowed the tiller of the ship of State to be grasped by other hands.

With the Emperor's advancing years habits of indecision had increased. In 1864, he was becoming a little weary of the responsibilities of rule. The time, which he should have given to the affairs of State, he was devoting to the biography of a great Roman, and he was almost as eager to draw a parallel between the Cæsars on the Tiber and the Cæsars on the Seine, as to complete the work which he had commenced in 1848; and which had involved him in so many embarrassments. Count von Bismarck, on the contrary, had no literary pursuits to distract his attention from the object before him. He, too, had ideas to mould into shape; ideas too distinct to be described as dreams. Knowing what he wanted, resolute to obtain it, he held the rudder with a firm grasp in his own hands. The heavens were overcast, the wind was contrary, the ship of State was straining under the gusts of adverse opinion. Her crew were mutinous, her captain disposed to despair; yet the pilot maintained his hold on the rudder, and bore up in the teeth of the storm.

If there was this difference in the characters of the two men, there was an equal difference in their methods. In the game of diplomacy, the Emperor constantly made the mistake of placing his hand on the table; Count von Bismarck never allowed his opponent to know his strength till the decisive moment came for playing his strong card. The Emperor, moreover, having an over-

weening confidence in himself, never once adopted the obvious precaution of reserving his play till he had consulted his advisers. Count von Bismarck, on the contrary, always kept back his King to out-trump his adversary's card; over and over again, in the long struggle, the King was used to obtain an advantage which could not otherwise have been secured. He would have been too glad, so he professed, to let the Emperor win the trick; but unfortunately he was bound to play the King, and the King proved the strongest card in the suit.

Such were the two men, who, in the autumn of 1865, commenced the long diplomatic struggle which was to continue for five years. The Emperor, when Count von Bismarck decided on approaching him, was staying at Biarritz with the Empress, and was therefore —as he had been seven years before at Plombières—far from the advisers whom he would have been wise to consult. It was noticed afterwards that, during the visit, Nature herself seemed to predict some crushing calamity. The beautiful watering place, where so many visitors are accustomed, even in winter, to witness the smile of heaven resting on the bosom of the deep, was the scene of violent and continuous storms.[1] The Emperor himself, the victim of a painful and exhausting illness, a little weary of the labours of his position, and a little saddened with the disappointments of the last few years of his reign, was losing that confidence in his own destiny which had sustained him in his earlier years. He was alarmed, moreover, at the possible consequences, both to himself and to Italy, of the arrangements which had been just made at Gastein. He feared that the alliance of the two great German powers might prove formidable to France; and that Prussia, in return for the advantages which

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 564.

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she had gained, might have guaranteed Venice to Austria. It was, therefore, with some relief that he received Count von Bismarck's assurance that Prussia had given no such pledge. He was probably also relieved to find that Prussia, so far from desiring to maintain a strict alliance with Austria, was contemplating a policy which must certainly bring the two great German powers into collision; for Count von Bismarck frankly avowed that, in defiance of the stipulations of Gastein, he intended to annex Holstein. And the annexation of Holstein was only the first step which, he admitted, he contemplated. Prussia, he declared, had a great rôle to fulfil, and he relied on the friendship of France to enable him to accomplish it. A strong Prussia would naturally make approaches to France. A weak Prussia, on the contrary, would be always looking for allies against its powerful Western neighbour. The peace of Europe, therefore, the peace of France, depended on the strengthening of Prussia. And the Emperor listened and assented to views which he declared to be well worthy of sympathetic consideration.[1]

His arguments and proposals.

Were the views enforced by arguments of another character? The secret of the Biarritz interview was carried by Napoleon to the tomb, and was never fully disclosed by Count von Bismarck. Yet it is almost certain that the Count had other arguments to use which had their weight with the Emperor. The policy, which Prussia was proposing, was the policy which Napoleon himself was favouring. It was based on the same hostility to the arrangements of 1815, the same desire to reconstruct Europe on the principle of race, which Napoleon had always supported. The consideration, which made it desirable that Venetia

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 562; cf. Sybel, *Founding of the German Empire*, vol. iv. p. 248.

should be Italian and Savoy French, pointed decisively to the union of Holstein with Germany; and, if France was alarmed at the consequent increase of Prussia, the same consideration might enable her to seek compensation elsewhere. In his conversation with the Duc de Gramont the year before, he had already hinted that, if France required the west bank of the Rhine, she must obtain it from the power that had it to give.[1] A little later, in an interview with M. Drouyn de Lhuys, he had suggested other rectifications to the French Minister, who had told one of his friends that Herr von Bismarck had offered him everything that did not belong to him.[2] Such offers were quite consistent with the language which Count von Bismarck had always held; on one occasion, for example, he had privately suggested that France might take Belgium; on other occasions he had hinted that Prussia would not object to French extension wherever the French language was spoken.[3] At Biarritz it is almost certain that he developed the same views. If France would only allow Prussia to work out her own destiny, Prussia would allow France to extend the boundaries of her Empire. Belgium, Luxemburg, the Bavarian Palatinate, the Rhenish provinces of Prussia, French Switzerland, these were all held out as possible objects for French ambition. Prussia could not give these things; but she would not prevent France from taking them.[4]

Such, it is almost certain, was the reasoning with which Count von Bismarck approached the Emperor. These arguments were well calculated to prevail with Napoleon; for Count von Bismarck was skilfully suggesting to him that the opportunity had come for

[1] *Supra*, p. 209.
[2] Rothan, *La Politique Française en 1866*, p. 40.
[3] *Ibid.*, p. 77, *note*.
[4] *Ibid.*, p. 53, *note*; cf., however, Von Sybel, *Founding of the German Empire*, vol. iv. pp. 241–252.

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the reconstruction of the map of Europe in accordance with his own dream. Prussia was to be enlarged on the principle on which Lombardy had been added to Piedmont; and, in return, France was to be free to extend her own boundaries. And the Emperor, dreaming as usual, never paused to reflect that, while his opponent was securing the substance, he himself was put off with the shadow: the substance, for it was already plain that the neutrality of France would remove the chief obstacle to the acquisition of Holstein by Prussia; the shadow, for it was equally plain that the neutrality of Prussia would not remove the risks of war to which the annexation of Belgium, Luxemburg, the Bavarian Palatinate, and French Switzerland, would undoubtedly expose the Emperor of the French.

The Emperor assents.

Napoleon, moreover, to do him justice, was not mainly influenced by the temptation of extending his own boundaries. The thoughts of the Emperor, in fact, while Count von Bismarck had been talking, had again reverted to that city on the Adriatic, whose cause he had supported at Plombières in 1858 and betrayed at Villafranca in 1859. A new war, in which Austria would be engaged, would give Victor Emmanuel a new opportunity; and Austria, concurrently attacked both in the north and in the south, would be compelled to relinquish the foothold which she still maintained in Italy. Austria, indeed, so the Emperor probably meditated, would be no easy prey to her two assailants. The army, which had resisted his own battalions, might be trusted, so he concluded, to stand for months in front of the troops which Prussia on the one side, and Italy on the other, might bring against it. But a long war, a slow war, a doubtful war, could not but strengthen the Emperor's own position. An exhausted Austria would be more ready to relinquish her Venetian territory: an exhausted

Prussia would be more ready to consent to the rectification of the boundaries of France.

The desire, which the Emperor did not conceal, to complete the work which he had commenced in 1859, enabled Count von Bismarck to play a stronger game. He saw, or he fancied that he saw, that the Emperor would regard the liberation of Venice as a sufficient compensation for the aggrandisement of Prussia. 'Si l'Italie n'existait pas, il faudrait l'inventer,'[1] was the well-known phrase in which he summed up the results of the Biarritz interview. Italy had, in fact, supplied him with the lever which he had required to move the Emperor. For the sake of the Italian cause, the Emperor had listened, without raising either objection or protest, to Count von Bismarck's proposal for the aggrandisement of Prussia by the annexation of Holstein,[2] and, perhaps, the further rounding off of Prussian territory; and Count von Bismarck, in return, had merely held out shadowy temptations of compensation which France, with one exception, was to obtain, not from Prussia, but from other powers.

Count von Bismarck renews his proposals to Italy.

Strengthened by his interview with the Emperor, Count von Bismarck renewed his overtures to Italy. He found, however, that the Italian Ministry was still inspired by distrust of Prussian policy. The treaty of Gastein had apparently cemented the alliance between the two German powers; and Italian statesmen could not believe, or professed that they could not believe, that a formal arrangement was to be immediately followed by a decisive rupture. In these circumstances a policy of caution seemed imperatively necessary. Italy was not strong enough to quarrel with Austria till Prussia was openly committed to war. If Prussia required her assistance, Prussia must lead the way.

[1] La Marmora, *Un peu plus de Lumière*, p. 71; Rothan, *La Politique Française en 1866*, p. 80.

[2] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 565.

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The attitude, which General La Marmora thus adopted, led to a further development of the policy of Count von Bismarck. The moment had apparently come when it was necessary for him to find some pretext for tearing up the stipulations to which he had just agreed at Gastein. He found an excuse for doing so in the conduct of the Prince, whose claim to the succession to the duchies had throughout filled so important a rôle in the game of politics which was being carried on in Northern Europe. Early in 1866, the Prince, relying on the protection of Austria, again renewed his own claims to Holstein, and summoned his friends from all parts of Germany to meet him in the duchy. In Germany, the language of the press, which had always been favourable to the Prince, supported his claim; and Count von Bismarck seized on the meeting, and on the support which the German press was according to the Prince, as a pretext for addressing a despatch to Vienna couched in a tone of angry defiance. It was incredible to him, so he wrote, when he remembered the days of Gastein, that Austria should have allowed a movement hostile to the Prussian monarchy to develop in Holstein. He called on her to control the action of the Prince, and to moderate the language of the press. In terms which were unusual in diplomacy, he added that, if Austria should return an evasive reply to these demands, Prussia could only consider that she was more desirous to resist the aspirations of Prussia than to cement the alliance. 'I beg your Excellency,' so he concluded his despatch to the Prussian Minister at Vienna, 'to remove all doubts from the mind of Count von Mensdorff on this subject. The situation is too grave, and recent events are too serious, to make any less decided language appropriate or opportune.' [1]

His despatch to Vienna.

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 573, 574.

To this grave despatch, Count von Mensdorff replied with some dignity. He denied the right of Prussia to criticise the acts of the Austrian representative in Holstein. Austria had only one object: to maintain order and to preserve peace. So far from desiring to ignore Prussian interests, she had subordinated to the Prussian alliance her relations with the smaller German powers. The Count declined to aggravate the controversy by formulating any complaints against the conduct of his ally. He would be acting against the wishes of his master if he contrasted the conduct of the Court of Berlin with that of his own Court.[1]

These despatches breathed war. Yet Austria hesitated to believe that Count von Bismarck would venture on pushing his threats to an extremity. In common with the rest of Europe, she had no faith in the capacity of the Prussian Minister. The Prussian Legislature was avowedly hostile to his policy. While this very correspondence was in progress, the Lower House passed a resolution declaring that the union of the Duchy of Lauenburg with the Crown of Prussia should not take place until it had been approved by both Chambers.[2] The original dispute, moreover, was being conducted with the old acrimony; and, so far as outside critics could see, the Prussian Minister had no chance of obtaining legal sanction for the supplies which he required for the reorganisation of the Prussian army. Could Count von Bismarck—could any minister who had to reckon with an adverse majority in the Legislature—venture to embark on war with one of the most powerful empires in Europe? Was it not more likely that the Minister would fall before the opposition which he had excited, than that he should translate his

The Prussian Parliament prorogued.

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 575, 576; cf. on these despatches, Von Sybel, *Founding of the German Empire*, vol. iv. pp. 305–316.

[2] *Ann Reg.*, 1866, Hist., pp. 210, 211.

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threats into action? Was it probable that the King of Prussia would support his Minister against his country? The answer came in a form which could not be ignored. The Legislature had thrown down a challenge to the Minister; and, on the 23rd of February, the King, on his Minister's advice, closed the Session. The Prussian Parliament did not meet again till the victory of Prussia over Austria had made Count von Bismarck a popular hero.

The meeting at Berlin of the 28th of February, 1866.

The closing of the Prussian Chamber was immediately followed by a still more significant proceeding. The King, on the 28th of February, summoned the most conspicuous personages of his kingdom to a council at Berlin. Thither came not merely the members of his Ministry, but Count von Goltz, the ambassador at Paris; General von Manteuffel, the representative at Schleswig; and General von Moltke, the great captain, whose military abilities were already attracting attention. The King's words, in opening the council, showed that he had been converted to the opinions of his Minister. After the acquisition of Lauenburg, indeed, according to Count von Bismarck, the King's mind underwent a psychological change: he developed a taste for conquest.[1] This taste was apparent enough in his speech to the council. He complained that Austria was relegating Prussia to a secondary position; he declared that there was a general desire in Prussia for the annexation of the duchies, and that any concession on this point would weaken his kingdom, and embolden his rival. He wished, if it pleased God, to effect annexation without war, but the country should not shrink from war if war became necessary. Count von Bismarck followed his master, and emphasised his arguments. Austria, he declared, with a singular perversion of the truth, was endeavouring to establish an alliance with France;

[1] *Bismarck, his Reflections and Reminiscences*, vol. ii. p. 20.

and it would be much better, therefore, to hasten the crisis, than to leave to the enemy the choice of the time and of the field. In vain the Finance Minister pleaded, as became his office, for conciliation. The military men drowned his arguments with a demand for energetic measures. Even the Crown Prince could obtain no support in his denunciation of a fratricidal war between the two chief German powers. The council decided to send Count von Goltz back to Paris with instructions to observe the disposition of Napoleon; to direct the staff to make the preliminary preparations for a campaign; and to despatch General von Moltke to Florence with the object of forming an alliance with Italy, which might place Austria between two fires.[1]

M. Nigra's mission to Paris.

It so happened that, on the very day on which the council was sitting at Berlin, an Italian emissary, M. Nigra, was approaching Napoleon at Paris with a new—or revived—proposal with respect to Venice. A revolution had broken out at Bucharest. Prince Couza—who had filled the throne of Roumania since the union of the Principalities—had been forced to abdicate; and the Count of Flanders had been offered, and declined, the vacant crown. It occurred to M. Nigra—and General La Marmora approved the suggestion—that Austria might be given the Danubian Principalities in exchange for Venetia.[2] The idea was not a new one. It had been discussed three years before, on the occasion of the mission which Count Pasolini had undertaken to Paris and London: it had been approved by the Emperor, and had commended itself to the British Ministry. The time seemed especially opportune for its revival; and its realisation would insure the two things which Napoleon was

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 578, 579; Benedetti, *Ma Mission en Prusse*, p. 35 *seq.*; cf. Von Sybel, *Founding of the German Empire*, vol. iv. pp. 320–324.

[2] Ollivier, *L'Empire Libéral*, vol. viii. pp. 27, 42.

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understood to desire: a firm government in the Danubian Principalities, and the liberation of Italy to the Adriatic.

M. Nigra found Napoleon III. favourably disposed to a proposal whose adoption was calculated to solve many difficulties. M. Drouyn de Lhuys, however, considered that it would be more likely to recommend itself to Austria, if the suggestion emanated from London. In London, however, Lord Clarendon hesitated to forward the proposal to Vienna. The possession of the Danubian Principalities by Austria, so he argued, would naturally be disliked by the Russian Government, and he could not be a party to persuading Austria to consent to an arrangement which might expose her to a much more formidable enemy on the east than Italy could prove on the west.[1] The Emperor Napoleon, therefore, saw that, if M. Nigra's proposition were made, it must emanate from France, and he accordingly decided to charge himself with an overture which the British Government was too prudent to undertake.

The Emperor advises Italy to prepare for war.

Napoleon III., however, did not conceal from himself the difficulties inseparable from this new negotiation. It was, to say the least, doubtful whether the pride of the Hapsburgs would suffer them to abandon any part of their dominions, even if the loss were sweetened to them by the acquisition of new and profitable territory elsewhere. But the pride of the Hapsburgs, so Napoleon thought, might be overcome if Austria found herself in presence of a formidable combination. Austrian statesmanship might be disposed to accept the exchange if Austria were confronted with the possibility of an attack by Prussia and Italy. It was the business of Italy, so Napoleon told M. Nigra, to force Prussia into the war, which she was evidently contemplating;

[1] Ollivier, *L'Empire Libéral*, vol. viii. p. 44.

it was equally her business to push forward her own preparations,[1] so that she might be in a position to take her own part in the coming fray.

Whatever judgment may be formed on the ethics of Napoleon's conduct, his policy was, at any rate, intelligible. It was plain that he had a better chance of persuading Austria to consent to the desired exchange, if she found herself confronted by an alliance of Prussia and Italy. And, thus thinking, he paid insufficient heed to the opposition which, as Lord Clarendon had foreseen, was sure to be offered by Russia to the proposal. As a matter of fact, however, the Emperor of Russia declared the project to be, 'inadmissible jusqu'à la guerre.'[2] And this declaration made it certain that, whatever solution might be found for the Venetian question, compensation for Austria could not be obtained in the rich provinces which guard the mouths of the Danube.

In the meanwhile, on receiving from M. Nigra Napoleon's advice, General La Marmora had decided to send a special mission to Berlin to discuss the situation, and he selected General Govone for the purpose. On receiving tidings of General Govone's mission, the Prussian Government withdrew the orders, which it had already given to General von Moltke, to proceed to Florence. It was probably, in Count von Bismarck's opinion, much more satisfactory that the approach should be made from General La Marmora to Prussia, than that Prussia should go, cap in hand, to Italy. Besides, General Govone's presence enabled him to keep the negotiation in his own hands in Berlin, instead of entrusting it to General von Moltke in Florence.[3]

[1] Ollivier, *L'Empire Libéral*, vol. viii. p. 42; De la Gorce, *Hist. du Second Empire*, vol. iv. p. 587.

[2] Von Sybel, *Founding of the German Empire*, vol. iv. p. 341.

[3] For this mission, see La Marmora, *Un peu plus de Lumière*, pp. 89–112; Benedetti, *Ma Mission en Prusse*, p. 71 *seq.*; and cf. Von Sybel, *Founding of the German Empire*, vol. iv. p. 335.

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General Govone's mission to Berlin.

General Govone's mission was practically the outcome of Napoleon's advice. Yet, with the strange secretiveness which was characteristic of the man, who mole-like loved to burrow underground, and to conceal his motives and intentions from his ministers and agents, no hint was given to the French Ambassador at Berlin. M. Benedetti reported General Govone's mission as a piece of important news, just as eight years before Count Walewski had telegraphed to the Emperor the information that Count Cavour had arrived at Plombières. General Govone's mission, however, did not make much progress. It was in vain that Count von Bismarck laid before him, at interview after interview, his reasons for desiring war, and even the pretexts on which he relied to provoke it.[1] The Italian general profoundly distrusted the Prussian statesman; he thought that Count von Bismarck wished to conclude an alliance, in which Italy would have to follow the lead of Prussia, and from which Italy would derive many inconveniences, while Prussia would gather all the fruit. The hesitation, which he felt, was shared by General La Marmora at Florence, who determined, before committing himself to any decided action, to send a confidential agent, Count Arese, to Paris, and ascertain afresh the Emperor's views.

The reasons which had induced the Emperor, in the first instance, to recommend a close understanding between Florence and Berlin, no longer existed in their full force. The attitude of Russia had made the acquisition of the Danubian Principalities impossible; and Austria could no longer be frightened by the threat of war into accepting territory on the Danube for territory on the Adriatic. But the Emperor still clung to his old conclusion that the best chance of seeing the success of his Venetian policy was to form a strong

[1] Ollivier, *L'Empire Libéral*, vol. viii. pp. 47–52.

combination against Austria. He still, therefore, repeated his old recommendation, 'Sign the treaty: that is the advice which I give you as a friend;' and under this pressure the treaty was at last signed on the 8th of April, 1866.[1]

The Prusso-Italian alliance.

In the treaty, which was thus signed, the advantage lay with Prussia. Italy undertook, if Prussia should be forced to take up arms to enforce its demands for the reform of the Federal Constitution in Germany, immediately to declare war against Austria. Prussia, on the contrary, entered into no corresponding obligations. Count von Bismarck, indeed, subsequently explained that Prussia would never conclude a compact which would leave Italy to face alone the Austrian army; but, so far as the actual language of the treaty was concerned,[2] Italy subscribed to an undertaking for which she received no corresponding return. When war was once commenced, the conditions, so it was arranged, became more equal. Italy and Prussia both engaged to consent to neither treaty nor armistice without the consent of their ally. This consent, however, could not be withheld if Austria agreed to cede Venice to Italy, and to Prussia Austrian territory equivalent in population to Venetia. The treaty, it was stipulated, should last for only three months, unless war had actually broken out before this period had expired. Finally, the contracting parties, perhaps a little ashamed of their

[1] La Marmora, *Un peu plus de Lumière*, p. 139; Von Sybel, *Founding of the German Empire*, vol. iv. p. 354. The Emperor apparently did not communicate to M. Drouyn de Lhuys the advice, which he had given to Italy, to sign the treaty. Benedetti, *Ma Mission en Prusse*, p. 78.

[2] The exact words were: 'Si les négociations que Sa Majesté prussienne vient d'ouvrir avec les autres gouvernements allemands, en vue d'une réforme de la constitution fédérale, conforme aux besoins de la nation allemande, échouaient, et que Sa Majesté prussienne soit mise en mesure de prendre les armes pour faire prévaloir ses propositions, Sa Majesté italienne, après l'initiative prise par la Prusse des hostilités, dès qu'elle en sera avertie, en vertu du présent traité déclarera la guerre à l'Autriche.' Ollivier, *L'Empire Libéral*, vol. viii. p. 60; and see La Marmora, *Un peu plus de Lumière*, pp. 121, 122.

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conspiracy, agreed to keep secret both the contents and the existence of the treaty.

From the moment that the treaty was concluded, Count von Bismarck had only one object: war, and war within three months. The question of the duchies, the condition of Germany, the preparations which Austria herself was making to prepare for a possible struggle: all these things furnished him with pretexts for a quarrel which might lead to war. His outspoken determination to resist the claims of the Prince of Augustenburg, his obvious intention to increase Prussian influence in the duchies, might, of themselves, have made war inevitable; but Count von Bismarck did not rely on these things alone. On the very day on which he signed the treaty—in strict accordance, it must be added, with its language—he addressed a communication to the German Diet at Frankfort, proposing the convocation of a general assembly, elected by universal suffrage, to which the question of federal reform in Germany should be referred. With the frank cynicism which was his characteristic, he told General Govone that he made the proposal because he thought it would produce immediate confusion and eventual war.[1] In fact, the proposal, surprising enough in any circumstances, was the more surprising when it came from a minister, who was the champion of autocracy at home, and who had definitely broken with the Prussian Parliament. Count von Bismarck—so the criticism ran—was preparing some democratic oil with which the King of Prussia might be consecrated Emperor of Germany.[2] The chances of peace were not improved by this unexpected suggestion. But Count von Bismarck had a still more formidable weapon in

Count von Bismarck proposes the reform of the German Diet.

[1] 'Il attendait de cette proposition la plus grande confusion en Allemagne et ensuite la guerre.' La Marmora, *Un peu plus de Lumière*, p. 164.

[2] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 595.

his armoury. It so happened that, at the time when he was concocting the Italian alliance, he met at dinner a lady, the Countess Hohenthal,[1] of great influence in Saxony, who ventured to ask him whether it was true that he was contemplating war, with a view to driving the Austrians out of Germany and to possess himself of Saxony. 'My dear Countess,' replied the Count, 'that has been my intention. For that I have been preparing ever since I became Minister. The moment is now come; our cannon is all cast, and you will soon have reason to know how superior our guns are to the Austrian artillery.' 'You make me positively shudder,' replied the lady; 'but, as you are in a communicative mood, pray tell me what I should do. I have two properties: one in Bohemia, the other near Leipzig. To which do you advise me to go in case of war?' 'If you take my advice,' replied Count von Bismarck, 'you will not go into Bohemia, for, unless I am mistaken, the decisive battle will be fought in the neighbourhood of your own estate. Go, therefore, quietly into Saxony. Nothing is very likely to happen near your castle of Knautheim.' The lady naturally reported this remarkable conversation to her husband, who communicated it to the Austrian Court; and Count von Bismarck was asked to explain his words. He refused to be responsible for an after-dinner joke.[2] But the joke had done the work which it was intended to do. Austria, naturally alarmed, reinforced her troops on the Bohemian frontier. Count von Bismarck, in a vigorous despatch which he took care to publish, denounced these preparations, which he declared were provoking war. Austria, in reply, offered to withdraw her troops if Prussia, in return, would

[1] Von Sybel, *Founding of the German Empire*, vol. iv. p. 344.

[2] 'Il se tira d'affaire en donnant à l'incident un tour plaisant.' Rothan, *La Politique Française en 1866*, p. 113.

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relax her own preparations. To this proposal Count von Bismarck was compelled to return a reluctant assent; but, a week or two later, he declared that the reductions, which Austria was making, were delusive. It was no use her disarming in Bohemia, if she continued her preparations in other provinces of her Empire. Prussia, in these circumstances, could no longer consent to disarm.[1] Like some 'fiery Tybalt, with his sword prepared,' Count Bismarck was doing his best to make war inevitable.

Count von Bismarck's preparations.

Austria offers to cede Venice.

While Count von Bismarck was visibly preparing war in Berlin, a very different man was labouring in Paris to preserve the peace. The Emperor Napoleon had already made two fatal mistakes. He had been seduced by the voice of the tempter into promising Prussia a free hand in Northern Germany, and he had, by his reiterated advice, been instrumental in forming the Prusso-Italian alliance. He thought that the fact of the alliance would enable him to bring such strong pressure on Vienna that Austria might be induced to cede Venice to Italy; and, in the first instance, he obtained a measure of success. On the 4th of May, within four weeks of the signature of the Prusso-Italian treaty, Austria consented to purchase the neutrality of France and Italy, in the war which was apparently becoming inevitable, by the cession of Venetia, on condition that she should be free to compensate herself by the conquest of Silesia from Prussia.[2]

The policy of Napoleon III.

The morality of this bargain may be open to question. The conduct of the Emperor in sanctioning a policy of

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 596, 597; Ollivier, *L'Empire Libéral*, vol. viii. pp. 100–103; cf. Von Sybel, *Founding of the German Empire*, vol. iv. p. 388 *seq.*

[2] La Marmora, *Un peu plus de Lumière*, p. 215 *seq.*; Rothan, *La Politique Française en 1866*, p. 132. The Austrian Government, in the first instance, stipulated that the cession should not take place till the conquest was made. A day or two later, on Napoleon's III.'s suggestion, it withdrew that condition. De la Gorce, *Hist. du Second Empire*, vol. iv. p. 616.

rapine both in Holstein and Silesia may be subject to reproof; but the adroitness of the arrangement can hardly be disputed. The Emperor had used the Prusso-Italian alliance to obtain from Austria the liberation of Venice, and he was now using the concession of Austria to isolate Prussia. A war between Austria and Prussia, so all his advisers told him, could only lead to a Prussian defeat. Even if the Prussian troops displayed a capacity, with which few military authorities were disposed to credit them, the struggle between the two powers would probably be long and indecisive; and a defeated Prussia, or a Prussia exhausted by a protracted struggle, would be unable to make any effective resistance to the rectification of the Rhenish frontier of France, which was the second object of the Emperor's policy.[1] Thus, so the Emperor fondly imagined, the alliance between Prussia and Italy had already secured the success which he desired to achieve on the Adriatic. The dissolution of that alliance, so he rashly thought, might pave the way to a further success on the Rhine.

Italy adheres to the Prussian alliance.

Secretly as these negotiations were conducted, some intimation of them reached the ears of the Prussian Minister. For a moment he suspected that he might be betrayed both by Italy and by France; and that the time had come for making terms with Austria. At any rate, he authorised Baron von Gablenz, a Prussian subject, with intimate relations at Vienna, to approach the Austrian Court; and either to suggest, or to receive a proposal for, the constitution of the duchies into a separate state under a Prussian ruler, and the division of Germany between the two great German powers.

[1] M. Metternich, the Austrian Minister at Paris, said that, 'while Austria had no right to dispose of German territory, she would not oppose France, if she chose in one way or another to take possession of the Rhenish Provinces.' *Mémoires de Persigny*, p. 359. M. Ollivier says that this conversation, which M. Persigny says took place at the end of May, really occurred at the beginning of this month or at the end of April. *L'Empire Libéral*, vol. viii. p. 138, *note*.

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With this new arrangement under consideration, he ventured to tell the French Minister at Berlin that, if Italy proved faithless to her engagements, there was still time for Prussia to reconsider her policy; and that, if Prussia and Austria were agreed, they could turn their arms on France.[1]

Diplomacy had perhaps rarely woven a more tangled skein. Napoleon had concerted the Prusso-Italian alliance; and was endeavouring, by direct negotiation with Austria, to make the treaty a thing of nought. Count von Bismarck had obtained Napoleon's permission for war with Austria, and was discussing with Austria the possibility of a joint attack on France. And both Count von Bismarck in Berlin, and the Emperor in Paris, were dominated, in this tortuous policy, by the apprehension or expectation that Italy would be unable to resist the offer, which the Court of Vienna was making, that Venice should be ceded to her as the price of her neutrality. But, great as the temptation was, the upright soldier, who was responsible for the affairs of Italy, refused to subscribe to a bargain which he thought dishonourable. Gladly as the Italian Cabinet would have accepted the cession of Venice a few weeks before, General La Marmora considered that his engagements with Prussia prevented his closing with the new proposal. Italy, at the Emperor's own suggestion, had concluded an alliance with Prussia. How could the Emperor ask her to tear up a treaty which she had concluded on his advice? The treaty, indeed, had only two months to run; but for those two months Italy was bound, if war broke out, to redeem the promises which she had given.

Thus, at the beginning of May 1866, when one month out of the three months of the Prusso-Italian treaty had run out, the wishes of Italy, the views of

[1] De la Gorce, *Histoire du Second Empire*, vol. iv. p. 618.

France, and the interests of Austria, all pointed to a policy of delay. If peace could only be preserved for a few weeks, Italy would secure the liberation of Venice, Prussia would be left to deal single-handed with Austria, and Napoleon would be able to pursue his own plans on the Rhine with only a discredited and embarrassed Prussia to deal with. And there was one method, so Napoleon thought, which, whether it failed or whether it succeeded, would, at any rate, secure the delay which had become, for the moment, the chief object of his policy. If the powers could be brought into conference, the clash of arms might be temporarily postponed. Accordingly, after some informal correspondence, invitations to a congress were issued towards the end of May. Prussia, though she had everything to lose by delay, had the courage to accept the proposal:[1] Austria, though she had everything to gain from the respite which the conference held out to her, had the folly to refuse it. As in 1859, so in 1866, confidence in her own strength, pride in her own past, made her reject the opening which might have saved her from disaster.[2]

Napoleon III. proposes a conference.

The terms of the Austrian reply were known in the first week of June. Two out of the three months of the Prusso-Italian treaty had now expired. Count von Bismarck had watched the days go by with anxiety and alarm. Informed by his agents of the negotiations which were passing between Paris and Florence, and

[1] Von Sybel, *Founding of the German Empire*, vol. iv. p. 415.

[2] La Marmora, *Un peu plus de Lumière*, p. 276; De la Gorce, *Hist. du Second Empire*, vol. iv. p. 621; Rothan, *La Politique Française en 1866*, p. 153. Technically, Austria declared that she could only accept the invitation, if all the States undertook to refrain from demanding any increase of territory or power: a condition which made her acceptance equivalent to a refusal. Russia, and this country, accepted the invitation. Lord Clarendon told the Prussian Ambassador in London that he did not wish a renewal of the complaint, made in 1863, that Great Britain had endangered the peace of the world by refusing. Von Sybel, *Founding of the German Empire*, vol. iv. p. 456.

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Paris and Vienna, he had reason to fear that the advantages, which he had hoped to derive from the Italian alliance, might be lost; and that he might be left, face to face, with Austria on his front and France on his flank. In these circumstances, though never losing sight for a moment of his main object, he continued to negotiate both at Paris and Vienna. At Paris, his aim was to secure in any event the neutrality of France—at Vienna, to formulate some proposal which, if it were accepted by Austria, might profit his own country, and if it were refused, might justify the war which he was straining every nerve to precipitate before the three months of the Prusso-Italian alliance had run out.

Herr von Goltz's interview with Napoleon III.

Prussia, at that time, was represented at the Court of Napoleon by a man, Herr von Goltz, who was almost as skilful, as bold, and as unscrupulous as Count von Bismarck himself. Early in March 1866, on the eve of the conclusion of the Prusso-Italian treaty, Herr von Goltz had held a remarkable interview with Napoleon III. In their conversation, neither the Emperor nor the ambassador had taken any trouble to conceal from themselves that a war between Prussia and Austria was imminent, and that, in that war, the neutrality of France was indispensable to Prussian success. French neutrality was, in fact, so essential, that Prussia might clearly be ready to pay for it a price as high as that for which Piedmont had agreed to purchase French assistance some years before. The Emperor, at this interview, alluding probably to the suggestion which Count von Bismarck had himself made to the Duc de Gramont in 1864, and to the temptations which he had held out at Biarritz in 1865,[1] told Herr von Goltz that, though he had himself few ambitions to satisfy, France would expect him to demand something in return for his neutrality. Belgium, the Emperor went on, was at

[1] *Supra*, pp. 209, 224.

peace, and it would be difficult to justify its annexation; the people of Luxemburg sympathised with the French, but there was no obvious pretext for the intervention of France in its affairs; the same reasoning applied to French Switzerland; and, if Prussia were relying on the help of Bavaria, it might be difficult for her to assent to the transfer of Rhenish Bavaria to France. Prussia, therefore, could hardly arrange for the compensation of France at the expense of others; but she could not feel the same difficulty in disposing of her own territory. Marshal Niel, whom the Emperor said he had consulted, had advised him to reclaim the boundaries of 1814, and the cession of Landau and Saarbrück. Would the reluctance of the King of Prussia to give up any portion of his hereditary territory be an obstacle to such an arrangement? He added, with an implied reference to his own moderation, and to the concessions which Count Cavour—whose conduct Count von Bismarck was so closely imitating—had made to him at Plombières, 'Verily it is difficult to point out the compensation which I might receive for my neutrality. I can but assure you of my goodwill; and I only wish that you had some Savoy to concede to me.'[1]

Count von Bismarck thus knew, in the earlier months of 1866, the price which the Emperor himself set on his neutrality; but, at the same time, he could not conceal from himself that the policy of Napoleon in this matter did not accurately reflect opinion in France. French newspapers, indeed, influenced partly by the Emperor himself, and partly by the subsidies of Prussia, were extolling the advantages which would arise from the constitution of a strong and progressive Germany in the north, and from the decline of a reactionary Austria

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 601; cf. Von Sybel, *Founding of the German Empire*, vol. iv. pp. 325–329. Von Sybel, however, omits the Emperor's final remark, which appears to have been made at a later interview on the 25th of April. *Ibid.*, p. 414.

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in the south. France itself, so they argued, would gain from the repartition of Germany; and, instead of having to face two strong German kingdoms, would find herself opposed to three powers whose interests could not be identical: an enfeebled Austria, and two antagonistic confederations in Northern and Southern Germany.[1] On the principle, therefore, of *divide et impera*, France—so these commentators thought—must gain from the defeat of Austria. The Emperor endeavoured to strengthen the impression, which these inspired utterances were producing, by instructing M. Rouher to make a formal declaration of policy in the French Legislature. He had to justify, on the one hand, the neutral attitude which he was obviously assuming in the war which was evidently coming; and he had to explain, on the other hand, the action of Italy —hardly possible without French connivance—in interfering in a quarrel with which she had no concern. France, M. Rouher affirmed, was desirous of peace; and, disapproving of all acts of provocation, France accordingly would decline to support Italy if she should commence the struggle by attacking Austria. The questions in dispute, moreover, affected neither the honour nor the dignity of France; and France therefore, in her own interest, should pursue a policy of neutrality. The progress of the war, however, might lead to new conditions, and produce new problems for settlement; and France therefore should reserve her right to intervene if circumstances should require her intervention. In the meanwhile, a policy of peace, an honest neutrality, complete liberty of action, were the bases of the Emperor's policy. When the Minister sat down amid the cheers which this declaration elicited, a very different man rose to criticise the policy of the Government. M. Thiers had raised himself to the first

M. Rouher's explanation of Napoleon's policy.

M. Thiers's criticism.

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 603.

rank among his contemporaries by his achievements both in literature and in affairs. His elaborate History of the Revolution, of the Consulate, and of the Empire had made his name famous: his conduct under Louis Philippe had increased his fame. He was destined to rise to still higher positions; and, in the hour of her defeat and her resurrection, to preside over his country's fortunes. Yet, in the opinion of Frenchmen, the greatest day of M. Thiers's parliamentary career was that on which, on the eve of the Prusso-Austrian war, he criticised the policy of the Emperor. He denounced the Danish war; he denounced still more strongly the conduct of Prussia in insisting on appropriating the duchies which the joint efforts of Austria and Prussia had won for Germany. He declared that the success of Prussia would lead to the reconstruction of the Empire of Charles V., with its centre in Berlin instead of at Vienna, and allied with Italy instead of Spain. He contended that this result would be full of danger to France, and that France could easily prevent it by saying to Prussia that she would not suffer it to take place; and by saying to Italy that she would not allow her to ally herself with Prussia. France, which had shed the blood of 50,000 Frenchmen, and had spent 400,000,000 francs in the cause of Italy; France, whose policy had constantly been thwarted by the new Italy, which she had done so much to create, had a right to use such language. France had, at any rate, the right to say to an ally, who, during the last few years, had constantly disregarded her advice, 'If you make war, you must suffer the consequences of war. If Austria should drive you from the provinces which you have secured, France will not move a regiment in your support.'[1]

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 609 *seq.* Rothan, *La Politique Française en 1866*, p. 125, and Appendix, pp. 411–418, where the important passages of M. Thiers's speech will be found in full.

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M. Thiers's speech made an extraordinary impression. Men of all parties—even the friends of the Emperor—felt that he had expounded the true policy for France, and represented the best opinion of his country.[1] The Emperor alone was unshaken by the orator's arguments. He is said, indeed, to have been confirmed in his own ideas by his annoyance at M. Thiers's criticisms.

Napoleon III.'s speech at Auxerre.

Replying, a day or two later, to an address, presented to him at Auxerre, he took occasion to express his gratitude to the department of the Yonne, one of the first to give him its suffrages in 1848, 'because it knew that its interests were mine, and that I, like it, detested those treaties of 1815 which some parties to-day wish to make the sole base of our foreign policy. I thank you for your opinions. In the midst of you I breathe at ease, for it is among the laborious population of the towns and rural districts that I find the true genius of France.' The speech—the speech of Auxerre, as it was called—was naturally carried from one end of Europe to the other; and everywhere it was regarded as the Emperor's reply to M. Thiers.[2]

These events took place early in May, when the Emperor was first developing his ideas of a conference. On the 12th of June, when the reply of Austria had made a conference impossible, the Emperor again communicated his views to the Legislature. He instructed M. Rouher to read a letter which he had himself addressed to M. Drouyn de Lhuys. If the congress had met—so the Emperor said—France would have repudiated all idea of territorial aggrandisement so long as the European equilibrium remained. She

His letter to M. Drouyn de Lhuys.

[1] 'M. Thiers, a dit l'historien allemand Sybel, incarna en lui, en ces conjonctures, l'âme même de sa patrie.' De la Gorce, *Hist. du Second Empire*, vol. iv. p. 613; and cf. Von Sybel, *Founding of the German Empire*, vol. iv. p. 420.

[2] De la Gorce, *Hist. du Second Empire*, vol. iv. p. 627; cf. Rothan, *La Politique Française en 1866*, p. 127, *note*; and *Ann. Reg.*, 1866, Hist., p. 197.

would have desired for Germany, a closer confederation, a stronger organisation, a more important position; for Prussia, better geographical boundaries;[1] for Austria, the maintenance of her position in Germany; for Italy, the acquisition of Venice. The congress had failed. In the war which was about to break out, France had only two interests to preserve: the balance of power in Europe, and the safety of the work which she had accomplished in Italy. Would the moral force of France alone be sufficient to safeguard those two things, or would it be necessary for her to draw her sword? France, in the Emperor's opinion, would be able to keep out of the war, and in any event could rest assured that none of the questions affecting her interests would be settled without her consent.[2]

The attitude which the Emperor was assuming, the belief that he still represented the first military power in Europe, and the fear that he might intervene in an indecisive struggle with irresistible effect, and impose his own terms on the exhausted combatants, created anxiety in Prussia, and even induced Count von Bismarck to reconsider his position. Hitherto he had thought it sufficient to dangle before the Emperor's eyes vague hopes of compensation for France in Belgium, Luxemburg, Bavaria, Switzerland, or on the Rhine. The time had apparently now come for more definite assurances, or even for the actual transfer to France of that territory on the Rhine which the Emperor was so ardently desiring. True, indeed, the King of Prussia was objecting to the cession of any portion of his hereditary dominions. But the King of Piedmont had felt the same scruples in 1859; and, if Victor Emmanuel had been persuaded to surrender the cradle

[1] So the *Ann. Reg.*, 1866, Hist., p. 198, translates 'plus d'homogénéité et de force dans le nord,' and I am unable to suggest a better paraphrase.

[2] Rothan, *La Politique Française en 1866*, pp. 419–421.

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Count von Bismarck's fresh overture to France.

of his race for the sake of furthering the interests of his country, the King of Prussia, so Count von Bismarck considered, should be prepared to make a similar sacrifice for a similar object. Thus thinking, he decided on making a fresh advance to the Government of France. The French Embassy at Berlin was, at that time, held by a diplomatist, Count Benedetti, who had served his country with some distinction in Italy and elsewhere, but who was no match for the resolute statesman with whom, during the next few years, his name was to be so closely associated. Count von Bismarck asked M. Benedetti whether it was not possible to make some definite arrangement, which would insure the neutrality of France in the struggle which was obviously imminent. Could he not secure, for example, the Emperor's consent to his own programme, by ceding to France the district between the Moselle and the Rhine? M. Benedetti had, of course, no instructions which would have enabled him to deal at once with such a proposal. He contented himself with reminding the Minister that he had always understood that the King of Prussia was unwilling to abandon any portion of Prussian territory.[1] Count von Bismarck replied that he did not know that it would be altogether impossible to persuade his King to surrender the district. 'That,' he added, 'coupled with Luxemburg, should afford you a satisfactory rectification of your frontier.'[2]

There can hardly be a doubt that, if Napoleon III. had boldly accepted these terms, he would have obtained that extension of his Rhenish frontier which he had

[1] Some years before, William I., while Regent, in making a tour 'through the region about the Saar, took occasion, at a festival of welcome then given to him, to announce, to Napoleon's great vexation, that never, with his consent, should the Fatherland lose a clod of German soil.' Von Sybel, *Founding of the German Empire*, vol. ii. p. 414.

[2] Benedetti, *Ma Mission en Prusse*, p. 165; De la Gorce, *Hist. du Second Empire*, vol. iv. p. 625; Von Sybel, *Founding of the German Empire*, vol. iv. p. 471.

told the English Government would have been his object if he had intervened in the Danish war of 1864, and which he had persuaded himself was necessary for the safety of France.[1] But, with characteristic hesitation, he failed to take the trick which his skilful antagonist would have allowed him on this occasion to win. Convinced of the inferiority of the Prussian army, satisfied that the war would at any rate be long, he preferred the chances which the future might offer, to the prize which he might have accepted in the present. He desired that he might intervene at some appropriate time, and impose his own terms on the exhausted combatants.[2]

The Emperor's hesitation increased Count von Bismarck's anxiety; but his uncertainty as to the Emperor's intentions did not shake his resolution. If, a little earlier in the year, he had suggested that the duchies should be constituted an independent state under a Prussian prince, and that Germany should be divided into two confederations, the suggestion was never allowed to interfere with the main trend of his policy. The controversy Count von Bismarck had always wished should be settled by blood and iron; and it was becoming plain that by blood and iron it would be decided.

If, however, the issue was to be determined by war,

[1] There can, I think, be no doubt that Count von Bismarck, at this critical moment, was prepared to insist on his King making this sacrifice. M. Nigra wrote on the 31st of May: 'Bismarck paraît, en définitive, décidé à donner à la France le territoire compris entre la Moselle et le Rhin en échange de sa coopération armée.' La Marmora, *Un peu plus de Lumière*, p. 271. Count von Bismarck said himself to General Govone on the 2nd of June: 'Je suis moins allemand que prussien; et je ne verrais aucune difficulté à consentir la cession à la France de tout le pays compris entre le Rhin et la Moselle; le Palatinat, l'Oldenbourg, une partie du territoire prussien, etc. Mais le roi éprouverait de grands scrupules et ne pouvait s'y décider que dans un moment suprême.' *Ibid.*, p. 288.

[2] 'The Emperor wished to let Prussia lose a few battles, and then to interpose and arrange Germany according to his own fancy.' Von Sybel, *Founding of the German Empire*, vol. iv. p. 472.

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it was essential that the war should come soon. War had been made a little more likely by the practical refusal of Austria to enter the congress which the Emperor Napoleon was proposing. Count von Bismarck, indeed, when he received the terms of the Austrian answer, shouted, 'Long live the King! this is war.'[1] But the failure of the suggested conference did not lead immediately to war; it only made war a little more probable. The chief parties in the dispute hesitated, in fact, to put themselves in the wrong by taking the initiative. The King of Prussia especially was ready enough to defend his dominions if he were attacked, or to fulfil the conditions of his treaty with Italy if his ally were engaged in war; but he had an instinctive reluctance to commence the struggle. He shared the unjust prejudice, so common throughout Europe during the latter half of the nineteenth century, that the man who declares, and not the man who provokes, war, is responsible for the misery and waste which it involves.

Thus Count von Bismarck saw that the prejudices or the scruples of his own Sovereign prevented him from precipitating or initiating hostilities. He had to contrive other means for producing the war, on which he was resolved to enter, before the sands in the hour-glass had run down, and the treaty with Italy had expired. In the first instance, he thought that the end, at which he was aiming, might be attained by a bold move on the part of the Italians themselves. Could not Italy be persuaded to commence operations? Could she not, at any rate, irritate some outlying Austrian corps into an attack on her territory? He would undertake that, on the morrow of the day in which Italy was involved, a Prussian army should cross the Austrian frontier.[2] The Italian Government, however,

Count von Bismarck asks Italy to provoke war.

[1] Rothan, *La Politique Française en 1866*, p. 153; Benedetti, *Ma Mission en Prusse*, p. 132.

[2] La Marmora, *Un peu plus de Lumière*, p. 289; De la Gorce, *Hist. du Second Empire*, vol. iv. p. 623.

was almost as reluctant as the King of Prussia to precipitate hostilities. The cautious soldier, who presided over its counsels, was not disposed to place unlimited trust in Count von Bismarck's assurances. The negotiations between Austria and France had convinced him that, while Prussia had every reason for instant action, Italy had every ground for delay. He naturally, therefore, refused to listen to the voice of the tempter and to commence the struggle; and Count von Bismarck had to find some other pretext for the war on which he was resolved.

Austrian policy in Holstein.

His task was made easier by a false move on the part of his antagonist. In the same week in which Austria refused to enter the congress, except on conditions which made its meeting impracticable, she referred the whole question to the Confederate Diet at Frankfort, and simultaneously summoned the Estates of Holstein to deliberate on their lot. Count von Bismarck denounced this proceeding as a violation of the treaty of Gastein,[1] and directed General Manteuffel, who commanded in Schleswig, to occupy the province and disperse the Estates. The Austrians retired before the Prussian advance; and the Austrian Court, impatient at the provocations of Prussia, called on the German Diet to order the mobilisation of the federal troops. The representative of Prussia, at the Diet, in vain protested against the mobilisation. The future of the duchies, he argued, was not a German question, the quarrel was not a German quarrel; and Germany might, therefore, properly abstain from

The Prussians occupy Holstein.

Prussia declares the federation dissolved.

[1] Ollivier, *L'Empire Libéral*, vol. viii. p. 164. It is doubtful whether this proceeding was opposed to the words, though it was to the spirit, of the treaty of Gastein. It was, however, distinctly opposed to the provisions of a secret convention into which Prussia and Austria had entered on the 16th of January, 1864 (*i.e.* before the Danish war), and which Count von Bismarck now published in the *Staats-Anzeiger* of the 6th of June. Rothan, *La Politique Française en 1866*, p. 166, *note*; cf. Von Sybel, *Founding of the German Empire*, vol. iv. pp. 461, 480.

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interference. His arguments failed to command assent. The larger German states—Bavaria, Hanover, Würtemberg, Saxony, Hesse Cassel—threw in their lot with Austria, and the mobilisation was decreed.[1] The representative of Prussia, therefore, rose in his place and declared the federation dissolved. War was inevitable, and the Prusso-Italian alliance had still a month to run.

The bold statesman, who had dared everything, had attained his end. To blood and iron he had decided to appeal; and blood and iron were to determine the issue. Resolved to strike, he had a soldier's instinct to strike at once. On the very morrow of the vote in the Confederate Diet, Prussia, anxious to secure herself on the north before she entered on the death struggle with her powerful antagonist, called on Saxony, Hanover, and Hesse Cassel to reduce their armies to a peace footing, and to ally themselves with Prussia. On their refusal, the territories of the kingdom and of the electorate were at once invaded, and their armies driven across the frontier. In four days these countries were occupied by the Prussian armies; and within ten days of the outbreak of hostilities, Austria was assailed by Italy on the one side, and by two Prussian armies converging on Bohemia on the other.

The Seven Weeks' War.

In both instances the end came quickly. In Italy, General La Marmora, disregarding the advice which he received from the great strategist who was directing the Prussian armies, decided on crossing the Mincio with the bulk of his army, near Valeggio, and on penetrating the hilly country which surrounds the great fortress of Peschiera, situated at the point where the Mincio emerges from the Lago di Garda. He was surprised at Custozza, a village where, eighteen years before, Marshal Radetzky had inflicted a decisive defeat on the

[1] De la Gorce, *Hist. du Second Empire*, vol. iv. pp. 629, 630.

Piedmontese army, and sustained on the 24th of June a crushing reverse.[1] The news of this defeat naturally elated the spirits of the Austrians. They had successfully thrown back one of their two assailants: they hoped to gain as great a victory over the other. They had not yet learned to discriminate between the Prussian and Italian characters: between the warm enthusiasm which was animating an untrained south, and the stern resolution which was directing the movements of a prepared and disciplined north.

Bohemia is bounded on the north-west by Saxony, on the north-east by Silesia. At the opening of the campaign Prussian armies were stationed in these provinces, and ordered to march through the passes of the mountains which fringe the frontier, and effect a junction on the upper waters of the Elbe in the neighbourhood of Gitschin. It has been objected to this arrangement that an active adversary, under the command of an energetic general, might have fallen on either army as it advanced, and crushed it before it could obtain the assistance of the other. But it is never safe to criticise the plan of a campaign, devised by the greatest strategist of his time; and it is fair to assume that General von Moltke had adequate reasons for dividing, in the first instance, the forces under his command. The rapid movements of his own troops, and the more leisurely tactics of the Austrians under Marshal Benedek, justified his strategy. One of the two Prussian armies, under the command of Prince Frederick Charles, entered Bohemia from Saxony on the 23rd of June, and after a sharp skirmish at Podol, on the banks of the Isar, reached Gitschin on the 29th. The other army, under the command of the Crown Prince, was ordered to move in two divisions on Skalitz and Trotenau, and to effect a junction with Prince Frederick Charles

[1] Probyn, *Italy*, pp. 132, 318.

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on the Elbe. The troops, moving through a difficult country, and exposed to serious resistance, sustained many losses and some reverses. The news of Austrian victories was, in fact, flashed through Europe; but the discipline of the Prussian armies, the resolution of their commanders, and the advance of Prince Frederick Charles, snatched success out of disaster, and on the last day of June, only one week after the commencement of the campaign, Marshal Benedek, at the head of the Austrian army, found himself at Königgratz on the Elbe, already despairing of victory, and advising negotiation, while the junction of the advancing Prussian armies was assured.[1]

The road from Gitschin to Königgratz, running in a south-easterly direction, crosses the little river Bistritz at the village of Sadowa, a name which was thenceforward to be famous in history. On the eastern side of the Bistritz, the country is hilly, and seemed to Marshal Benedek to offer exceptional opportunities for defence. There, on the morning of the 3rd of July, the Austrian army awaited the attack. Its left wing, facing west, was intended to crush Prince Frederick Charles, on his march across the Bistritz from Gitschin; its right wing, almost at right angles to the left, was to sustain the onslaught of the Crown Prince, if he should arrive in time to take part in the battle, or was to complete the overthrow of Prince Frederick Charles if it could be spared for the purpose.

In the battle which followed, the brunt of the engagement fell on the Prussian right, who had to hold their own in difficult positions before superior numbers; but the final victory was assured by the arrival, late in the day, of the Crown Prince; and, since Waterloo,

[1] The reader who desires details of the campaign in Bohemia, which would be out of place in this history, cannot do better than consult Hozier, *The Seven Weeks' War*.

Europe had seen no more crushing victory. 'Your Majesty,' so General Moltke said to the King, 'has won not only the battle, but the campaign.' The extent of the Austrian losses, the disorganisation of their defeated troops, made it certain that the Austrian army of the north was virtually demoralised, and that the road to Vienna had been opened to the victorious Prussians by the completeness of their victory.

For the second time in his eventful reign, the Emperor of Austria had seen his armies defeated in a decisive struggle; and for the second time, shocked at the slaughter of his soldiers, he determined to retire, if it were possible, from a contest which he had neither the heart nor the nerve to continue. Immediately after Sadowa, he addressed himself to the Emperor of the French, and, offering to cede Venetia into his hands, he asked for his intervention. In taking this step, the Emperor of Austria had a double object. Primarily, he was, above all things, anxious to terminate a war in which he had been worsted; but, secondarily, he hoped that France might be induced temporarily to occupy Venetia herself, and thus interpose a barrier between Italy and his own dominions. Secure from assault on the south, the Emperor would thus be enabled to withdraw the army which was watching the Italians, to reinforce his discomfited battalions on the Bohemian frontier.[1]

Austria asks France to intervene.

The feeble and irresolute Emperor, who was reigning, rather than ruling, at the Tuileries, received the Austrian overtures with some satisfaction. Wholly wrong as he had proved in his anticipations that the war would be long, it looked very much as if he might be right that France would exercise a decisive voice in the arrangements for its termination. Great as had been the Prussian success, powerful as the Prussian army had

[1] Rothan, *La Politique Française en 1866*, pp. 181, 191.

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proved, Prussia could hardly hope to resist a combination of Austria and France. It was apparently her interest to fulfil the promise, which Count von Bismarck had verbally given, that nothing should be definitely settled without an understanding with France.[1]

If France, however, were to speak with effect, it was obvious that she must speak with the authority which strength can alone give to advice; for a policy of blood and iron cannot be arrested by the utterance of smooth words, and the march of armies cannot be checked by unarmed neutrals. Napoleon, convinced that the war would be long, misled by the tempting assurances which Prussia had given to him, and perhaps too little occupied with the cares of Empire and too much engrossed with literary pursuits, had hitherto refrained from moving a single additional battalion towards the Rhine. The time had now come when he could no longer afford to trust to the velvet methods of diplomacy to gain his ends, and when it was necessary for him to choose between a policy of action and a policy of drift. M. Drouyn de Lhuys, who held the French Foreign Office in 1866, had the merit of appreciating this aspect of the situation. In a council, which was held immediately after the receipt of the Austrian Emperor's proposal, he urged his master, at once, to summon the Chambers and to demand supplies: France, he further argued, should place an army on her eastern frontier, and despatch M. Benedetti, the French Ambassador at Berlin, to the Prussian headquarters, with orders to stop the Prussian army, and 'impose' the intervention of France. If Prussia, exalted by her victories, should repudiate the assurances which she had given on the eve of the

M. Drouyn de Lhuys' advice.

[1] 'Nous n'avons aucune espèce d'engagement avec la Prusse, mais le comte de Bismarck et le comte Goltz ont maintes fois déclaré dans des entretiens, que rien ne serait définitivement réglé sans une entente avec la France.' M. Drouyn de Lhuys to the Duc de Gramont, 19th of June, 1866. See *L'Empire Libéral*, vol. viii. p. 180.

struggle, or should contemplate annexations calculated to disturb the balance of power, France, he contended, should occupy the left bank of the Rhine. In any event, she should place an army on her German frontier.

Such was the advice which, at an acute crisis in her history, was given by the Foreign Minister of France. Marshal Randon, the Minister of War, who was present at the council, professed himself ready to place 80,000 men at the Emperor's disposal, for the purpose of carrying out M. Drouyn de Lhuys's policy;[1] and the Emperor, impressed with the gravity of the crisis, seemed disposed to overcome his usual habits of indecision, and to act on the advice of his Minister. But it was soon plain that, if the Emperor, for once, had made up his mind, his councillors were divided in opinion. M. de La Valette, who, a few months later, succeeded M. Drouyn de Lhuys at the Foreign Office, rose to advocate a contrary policy. M. Drouyn de Lhuys' advice was based on the supposition that Italy, satisfied with the cession of Venice, would abandon the war; and that Prussia, left face to face with Austria, and threatened on the flank by France, would be forced to accept Napoleon's mediation. But how could the Emperor, so M. de La Valette argued, adopt such advice? Suppose Italy should refuse to accept it, and justify her refusal by publishing the correspondence, what would France say on learning that the Emperor had himself suggested the treaty of the 8th of April, and had thus enabled Prussia to embark on the war and to achieve her astounding victory? The Emperor hesitated, and withdrew from the council chamber, to consider apart the arguments of his two councillors. He returned, and announced his decision to act on his Foreign Minister's advice. Then M. de La Valette rose, for a

M. de La Valette objects to it.

[1] Rothan, *La Politique Française en 1866*, pp. 189, 190; De la Gorce, *Hist. du Second Empire*, vol. v. p. 15 *seq.*

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second time, in this momentous council, and asked leave to inquire whether, in a military sense, France was in a position to adopt an energetic policy? Mexico—so he argued—had consumed everything, and France had neither horses nor equipment for a campaign. For himself, he believed that she could only put 40,000 men in line on the frontier; that these were imperfectly armed, and would be unable to stand against the Prussian needle gun, which had done such execution at Sadowa.[1] The master of many legions, who had hitherto been regarded as the chief of the first military power in the world, listened, profoundly moved, to M. de La Valette's statement. Impolicy, corruption, and mismanagement had so reduced his strength, that he was unprepared for a campaign. He could not even place an army of 50,000 men on the Rhine.

The fact was, that the resources of the Empire during the last few years had been exhausted by the Quixotic folly of the Mexican enterprise; and that the funds, which should have been employed to reorganise the French armies, had been wasted in the fruitless endeavour to set up Humpty Dumpty on his transatlantic wall. The failure in Mexico could no longer be ignored in the summer of 1866. The dream, which the Emperor had dreamed, of a transatlantic Empire was fading into nothingness, and the 'baseless vision' was disappearing at the moment when the anticipations which he had formed in Europe were being effectively destroyed. For the Prusso-Austrian War, which the Emperor had fancied would be long, had been brought to a sudden conclusion. The capacity of the Prussian Minister, the strength of the Prussian army, the worth of the Prussian armaments, had been decisively demonstrated; and a

[1] Rothan, *L'Affairè du Luxembourg*, p. 45 *seq.*; and cf. a chapter on 'La Question Militaire' in *La Politique Française en 1866*, p. 218 *seq.* De la Gorce, *Hist du Second Empire*, vol. v. p. 19, gives the facts, though in less detail.

new power had been revealed, almost in a moment, to an astonished continent.

Napoleon III. adopts M. de La Valette's advice.

In these circumstances, the arguments of M. de La Valette sank into the mind of his perplexed master. Napoleon III. felt that he was not strong enough to adopt the energetic advice which M. Drouyn de Lhuys was giving him. Instead of backing up his mediation with an armed demonstration on the Rhine, he was constrained to trust to negotiation alone. He even neglected to summon the Chambers and ask for the supplies the grant of which would have indicated a bolder policy. With some misgivings, but with some hope, he decided to trust to Count von Bismarck's spoken promises, and with this object to instruct M. Benedetti, the French Ambassador in Berlin, to repair to the headquarters of the Prussian army, and to preach the wisdom of moderation:[1] with some misgivings, for the Emperor could not conceal from himself that M. Benedetti did not speak with the authority of a nation prepared to enforce its counsel in arms;[2] with some hope, for the Emperor recollected the specious prospect which the Prussian Minister had held out to him at Biarritz, and was disposed to credit other men with the weak benevolence of his own character.

M. Benedetti reaches the Prussian headquarters.

Count von Bismarck, who was himself accompanying his Sovereign and the Prussian army in its victorious campaign, was not anxious for the presence of the French Ambassador at the Prussian headquarters. He declared, in his 'Reminiscences,' that it was only owing to 'the clumsiness of [the] military police,' that M. Benedetti succeeded in reaching him.[3] On the night of the 11th of July, however, or on the morning of the 12th, M. Benedetti accomplished this part of his mission,

[1] 'De ne rien négliger pour décider Sa Majesté à accepter un armistice.' *Ma Mission en Prusse*, p. 5.

[2] Rothan, *La Politique Française en 1866*, p. 241.

[3] *Reminiscences and Reflections*, vol. ii. p. 46.

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and appeared at the Prussian Minister's bedside. The week which followed his arrival was occupied with a long negotiation, both at headquarters and at Paris. But, from his first arrival, M. Benedetti discovered that there were two points on which Prussia was determined: the formation of a confederation of Northern Germany, under her own presidency; and an extension of territory sufficient to weld into a compact whole the scattered fragments of the Prussian monarchy.[1]

He formulates the suggestions of France.

Undeterred, however, by the indications of an increased ambition, which the astounding success of the Prussian army had created, M. Benedetti, within forty-eight hours of his arrival, reduced to writing the terms on which France recommended that peace should be made. Austria, she proposed, should cede Venetia, but should suffer no other territorial loss. Prussia should place herself at the head of a new confederation of Northern Germany. The German states, situated to the south of the Main, should be free to enter into another confederation. The Duchy of Holstein, and the southern part of Schleswig, should be given to Prussia; but the people of Northern Schleswig should be free, if they so desired, to attach themselves to Denmark.[2] These recommendations, which would have satisfied the appetite of the most ambitious Prussian before the war commenced, appeared insufficient after the astounding victory of the Prussian army. The Prussian Minister insisted that Prussia must be allowed to increase her weight in Europe by the consolidation of her own territory. He still, indeed, professed a desire, in accomplishing these changes, to act in alliance with, or after arriving at an understanding with, France. If France and Prussia were united, and bound by solemn engagements to each other, they could rearrange their

The view of Count von Bismarck.

[1] Rothan, *La Politique Française en 1866*, p. 252.
[2] *Ibid.*, pp. 437, 438.

own frontiers without preoccupying themselves with the possibility of the armed resistance of either Russia or Great Britain. If France would only let Prussia take what she wanted, she could compensate herself by adequate annexations in other quarters.[1] The old temptations were still dangled before the eyes of the French Ambassador, to secure the complicity of France in the larger rectifications of territory to which Count von Bismarck was now addressing himself.

There is little doubt that, at the crisis at which he had arrived, Count von Bismarck was sincere in his profession to allow France considerable additions of territory. Provided he secured what he wanted for himself, he showed no jealousy of French expansion. If he could have endowed Napoleon III. with his own courage, Belgium and Geneva might not impossibly have been added to the French Empire.[2] But he soon saw that M. Benedetti had no power either to discuss or to arrange large transactions of the character which he was contemplating; and he suddenly transferred to Paris the negotiations which he was still nominally conducting with the French Ambassador in Bohemia. The Prussian Minister in Paris, Count von Goltz, was a man almost as remarkable as Count von Bismarck himself. Like his chief, he had a hand of iron, but he contrived to conceal it in a glove of velvet. During his residence in Paris, he had established the most friendly relations with the Emperor and the Empress.

Count von Goltz in Paris.

[1] Rothan, *La Politique Française en 1866*, p. 260.

[2] 'M. de Keudell, le confident de M. Bismarck, disait de son côté: "Il importe de ne pas froisser la France, il faut s'arranger avec elle, et si l'Empereur veut prendre la Belgique il peut compter sur l'alliance prussienne."' *Ibid.*, p. 279. 'Je n'apprendrais rien de nouveau à votre excellence en lui annonçant que M. de Bismarck est d'avis que nous devrions la chercher en Belgique, et qu'il m'a offert de s'entendre avec nous.' *Ma Mission en Prusse*, p. 190. 'M. Drouyn de Lhuys n'a certes pas oublié que, dans mon dernier voyage à Paris, avant la guerre de 1866, je lui ai signalé les fréquentes allusions de M. de Bismarck à la réunion de la Belgique à la France, et même du canton de Genève, cette enclave française, suivant l'expression du ministre prussien.' *Ibid.*, p. 191.

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Passionately devoted to the interests of his own country, he had managed to persuade the French Court that he was always anxious to moderate, in the interests of France, the orders which he received, from time to time, from Berlin. His experience, moreover, had taught him that he could hope to gain, from the benevolent weakness of Napoleon, concessions which he did not even venture to formulate in addressing himself to his Ministers. He played his part to perfection on the 19th of July, 1866.[1] Calling that day on M. Drouyn de Lhuys, he complained of the orders which he had received from his chief. They imposed on him a disagreeable task: he had even thought of avoiding it by tendering his own resignation. His Court, he went on, encouraged by the successes of the war, was determined to satisfy the aspirations of the Prussian army, and the wishes of the Prussian people, by consolidating the scattered fragments of the Prussian territory. The annexations, however, necessary for this purpose need not be large. Drawing from his pocket a map of Germany, Count von Goltz showed the French Foreign Minister that a slice of Hanover, a slice of Saxony, and a rather larger slice of Hesse, would enable Prussia to connect the various possessions of the Prussian Crown. These acquisitions, however, would only affect a population of some 300,000 people; and such slight annexations need not disturb so powerful a country as France, or threaten the balance of power in Europe.

Count von Goltz and M. Drouyn de Lhuys.

Small as the proposal was, courteously as it was made, M. Drouyn de Lhuys did not make the mistake of accepting it. He admitted, indeed, that the addition of

[1] I have passed over the previous negotiations between Herr von Goltz and the Emperor as hardly germane to a history of England. For an account of them, see Von Sybel, *Founding of the German Empire*, vol. v. p. 265 *seq.* For Count von Bismarck's instructions to von Goltz, *ibid.*, pp. 286, 318.

some 300,000 people to the Prussian kingdom was not a very serious matter; but he went on to say that any transfer of population from one government to another would require the sanction of Europe; and, he added, that Count von Goltz could not forget that he had always insisted that any addition to Prussian territory on the right bank of the Rhine must be accompanied by some concession to France on the left bank.

Count von Goltz and Napoleon III.

M. Drouyn de Lhuys had met the Prussian Ambassador with diplomatic caution. Count von Goltz, however, had probably expected little from the French Minister. Leaving M. Drouyn de Lhuys, he drove at once to the Emperor. He probably knew that Napoleon III. would pay very little attention to his Minister's suggestion that changes in the map of Europe should require European sanction; and that he was still fascinated by the prospect of completing his work in Italy by the liberation of Venice, and by the promise, which the tempter had held out to him, of enlarging his own dominions. With the Emperor, therefore, Count von Goltz ventured on advancing much more serious pretensions than he had formulated to M. Drouyn de Lhuys; and he succeeded so well, that he persuaded the Emperor to agree to the transfer of Hanover, Electoral Hesse, and Frankfort, or of some 4,500,000 people, to Prussia; and to postpone for the moment any negotiations on the compensation which should be awarded to France.[1] The Emperor did many foolish things in the course of his reign; he proved himself over and over again no match for the skilful diplomatists of other countries; but perhaps, from his own point of view, he never committed a more fatal error than when he conceded

[1] Rothan, *La Politique Française en 1866*, pp. 272–276; De la Gorce, *Hist. du Second Empire*, vol. v. p. 42; cf., however, Von Sybel, *Founding of the German Empire*, vol. v. p. 331, where little stress is laid on this interview.

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to Count von Goltz the whole of the programme which Prussia had put forward, but which the Prussian ambassador had hesitated to disclose to the Foreign Minister of France.

The terms of peace arranged at Nikolsburg.

The news of the interview between Count von Goltz and Napoleon III. reached the Prussian headquarters on the 22nd of July.[1] On that very day the Austrian plenipotentiaries reached Nikolsburg[2] to concert terms of peace. These terms were rapidly settled in accordance with the arrangements which had already been concluded at Paris. Under them, Austria formally undertook to cede Venetia, and to withdraw from Germany. Prussia, strengthened by the addition of some 4,500,000 people, became the head of a new German confederation. She undertook, however, in accordance with the wish of France, to allow Northern Schleswig to decide its own future, and to assure to Germany, south of the Main, an international independence.[3]

It is due to Count von Bismarck to say that these terms, favourable as they seemed, were only accepted with reluctance by his ally and his King. On the one side, Italy, a little chagrined at events in which her troops and fleets had suffered reverses, and in which Prussia had gained all the credit, would have preferred a continuance of the war, and an opportunity for retrieving her reputation. On the other side, the King of Prussia,[4] reluctant as he had been to commence the struggle, was excited by the victory which he had secured, and anxious for the opportunity of securing

[1] Rothan, *La Politique Française en 1866*, p. 278.

[2] *Ibid.*, p. 316. M. Benedetti had travelled from the Prussian headquarters to Vienna, and induced the Austrian government to undertake the negotiations. *Ma Mission en Prusse*, pp. 5, 6,

[3] 'Une situation internationale indépendante.' *Ma Mission en Prusse*, p. 223.

[4] The King desired to force Austria to surrender some of her territory. See the *Journals of Count von Blumenthal*, p. 55.

fresh triumphs. He was like a horse, which had required to be spurred to force him to take his first fence, but which, after he had cleared it, was only restrained by the sharp curb of a strong rider, from bolting over the field. Italy, indeed, whatever reluctance she may have felt, was forced to suppress her mortification at her own unsatisfactory performance and accept the splendid prize which was offered to her as compensation. The King had to learn that the Minister, who had stood at bay against the Prussian Parliament, was equally resolute in opposing his Sovereign. It was only, however, with the utmost difficulty, and after a threat of his own resignation, that he prevailed on the monarch to accept the terms. The Count, indeed, was so exhausted by the struggle, and so agitated at the prospect of failure, that he burst into a paroxysm of hysterical weeping.[1] These unaccustomed tears were perhaps the only evidence, which Count von Bismarck ever gave, that his nature of blood and iron was occasionally influenced by the passions and feelings of weaker men.

The King of Prussia accepts the terms.

Yet perhaps the day on which Count von Bismarck accepted the terms of peace, which concluded the Prusso-Austrian war, was the greatest of his life. His determination to use his victory with moderation was the one point in which he displayed a marked superiority to his great predecessor, Count Cavour. In the events, which had preceded the war, in his interview with Napoleon, in his treatment of Austria, in his provocation which forced her to declare war, he had closely followed the example of his Italian prototype; but, while, after Villafranca, Count Cavour had urged a policy of action which might probably have deprived Italy of all she had gained, after Sadowa, Count von Bismarck warmly supported a policy of moderation

The success of Count von Bismarck.

[1] *Bismarck, Reflections and Reminiscences*, vol. ii. pp. 47, 48.

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towards his opponent, which enabled him to secure the fruits of his victory, and prepare for the new and greater struggle which, from that moment, he never ceased to contemplate.

The great events, with which this chapter has been occupied, had in one sense comparatively little to do with the history of England. This country, in June 1866, was thinking a great deal more of the riots in Hyde Park, and the prospect of a redistribution of power at home, than of the stupendous revolution, which had been effected on the continent of Europe. Yet, in another sense, the Prusso-Austrian War had far more influence on British history than the victory of the Conservatives over the Whigs, the retirement of Lord Russell, and the return of Lord Derby to power. For, if Sadowa was the successor of Solferino, it was the predecessor of Sedan; and the three wars of 1859, 1866, and 1870 were profoundly to affect the balance of power. Thenceforward, France was to be degraded —apparently permanently degraded—from her great position as the first military power on the Continent; and thenceforward an enfeebled France was to find herself in the presence of a united Germany in the north, and a united Italy in the south. But France, before 1866, had affected foreign policy at every turn. Every British statesman had accepted as an axiom the truth, which the Duke of Wellington had expressed in a sentence: it is not possible to do anything great in the world without France. Sadowa first revealed to British statesmen the fact that another nation had arisen on the continent of Europe, which was competing with France for superiority; and British diplomacy had to acknowledge that new circumstances necessitated a new policy, and that a new chapter of European history had definitely commenced.

# CHAPTER XI.

## LORD DERBY AND MR. DISRAELI.



THE year 1867 will be recollected in English history chiefly for the somersault which the Conservative party turned, under the guidance, in one House, of a nobleman more anxious for the moment to dish the Whigs than to serve his country; and, in the other, of a statesman, who preferred place to principle. But the year 1867 deserves to be remembered for another reason; for, in the autumn of that year, this country embarked on a military expedition, which it would be difficult even for a member of the Peace Society to condemn; which, attended with complete success, added to the lustre of our arms; and which—oh, rare exception!—did not add a single acre to British territory.

The Abyssinian war.

So far back as 1846, an Englishman named Plowden, who had been travelling for some years in Abyssinia, informed Lord Palmerston that he had been asked by Ras Ali, the principal chieftain, 'to undertake the conveyance of a few presents to her Majesty, the fame of whose greatness had reached his ears.' In the following year Mr. Plowden, thus brought into communication with the Foreign Minister, delivered to him a series of memoranda on the trade and resources of the country, and recommended that a British consul should be sent to the coast and instructed to hoist his flag on the adjacent island of Massowah.[1] Mr. Plowden's arguments were exactly calculated to move Lord

Mr. Plowden's original reports.

[1] *State Papers*, vol. lii. pp. 772–782.

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Palmerston to action; for, in the first place, he dwelt on the possibilities of an active trade, which might be regarded as the means of creating a new British interest —and Lord Palmerston never lost an opportunity of encouraging anything which he fancied might promote the interests of his country; in the next place, he pointed out that British influence might check the traffic in slaves, which was carried on chiefly by Mahometans, and from which, he alleged, the Abyssinians themselves were averse[1]—and Lord Palmerston was always ready to strike a blow at slavery; and, in the third place, he alluded to the fact that the French had already established a mission on the coast—and Lord Palmerston was almost certain to desire that, where the French flag was flying, there the Union Jack should float.

The advantages of establishing a consulate at Massowah seemed, to Mr. Plowden, too plain for argument. It would lead to 'a permanent' and valuable trade with the whole of the interior of this portion of Africa; and the Ras, brought into communication with England, would apply himself to the construction of roads, the building of bridges, and the general promotion of commerce.[2] The attractive picture beguiled Lord Palmerston. Mr. Plowden, at the beginning of 1848, was appointed Consul, and was instructed to open communications with the various chiefs of Abyssinia, and to conclude, if opportunity occurred, a draft treaty with the Ras Ali, whom he had represented to be the leading chieftain.[3]

He is made Consul at Massowah.

With these instructions, Mr. Plowden returned to Abyssinia, and he eventually so far succeeded that, in 1849, he concluded a treaty with the Ras, which

[1] Cf. *State Papers*, vol. lii. p. 779. For a description of the Abyssinian slave trade, *State Papers*, 1851-52, vol. xli. p. 304.

[2] *Ibid.*, vol. lii. p. 778.

[3] *Ibid.*, p. 782.

received the seal, though not the signature, of his titular suzerain.[1] Beyond this, Mr. Plowden achieved no success. The roads of his vision were not made; the bridges were not built; the trade was not created. In fact, the state of Abyssinia made success impossible; and in 1853, the fall of the Ras, on whom Mr. Plowden had previously leaned, made the treaty which he had concluded a nullity.[2]

The difficulties of Abyssinia.

The truth was, that events were too strong for Mr. Plowden, and that he failed to foresee the future, against which he was powerless to struggle. Nominally, the sceptre of Abyssinia was in the hands of an emperor, who reigned at Gondar. Practically, the power was in the hands of several ras, or chiefs—of whom Ras Ali was the foremost—who carried on a turbulent warfare among themselves. But in addition to these internal contests, which resembled the struggle between the Guelfs and the Ghibellines, Abyssinia had to face external difficulties. Egypt was encroaching on her northern border, and Turkey was maintaining a position on her eastern coasts. Even the island of Massowah, which Mr. Plowden regarded as the key of the situation, was more or less in Turkish keeping; and the Ras could never bring himself to understand why his new English allies, who were professing such friendship for him, should not help him to drive the Turks from the coasts of the Red Sea.

The fall of Ras Ali.

The airy castle, however, which Mr. Plowden's imagination had constructed, was dissolved by Ras Ali's fall; and perhaps the wisest course, which Lord Palmerston could then have taken, would have been to acknowledge that the mission was a mistake, and to have withdrawn it from Abyssinia. This idea, however, never seems to have occurred to either the

[1] *State Papers*, vol. lii. p. 801. The treaty itself is published, *ibid.*, vol. xxxvii. p. 4.

[2] *Ibid.*, vol. lii. p. 817.

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Foreign Office or Mr. Plowden. Mr. Plowden, indeed, hinted that in future he should address himself to the task of influencing the people rather than 'their very ephemeral Governments.'[1] But the hopeless project was abandoned as soon as it was formed; for a new chief, the Dejajmatch[2] Kasai, cut his way to supremacy, assumed the title of Theodorus, King of Ethiopia, and engraved on his seal the motto, 'King of kings.'[3]

Theodore cuts his way to supremacy.

Mr. Plowden was soon impressed with the new King's character. He sent home glowing accounts of his appearance, his energy, his generosity, and his decision. Theodore himself, when he set out to break the power of his chieftains, to reform his armies, to suppress insurrection, and to extend his territory, had hardly more confidence in his fortunes than Mr. Plowden felt for them.[4] During the years which ensued, he accompanied Theodore in his campaigns, he assisted him with his advice, he gave him the advantage of his advocacy. His position was much more that of a minister to the King, than of a consul appointed to protect British interests in a foreign country.[5]

Oddly enough, the anomaly of Mr. Plowden's position does not seem to have occurred to the Foreign Office. For ten years Foreign Ministers either acquiesced in, or, at any rate, did not interfere with, their agent's singular conception of his duties. At last, in the beginning of 1860, Lord John Russell, who

[1] *State Papers*, vol. liii. p. 817.

[2] A Dejajmatch was an inferior chieftain, who held under the Ras, just as the Ras nominally held under the Emperor. *Ibid.*, vol. xlix. p. 805.

[3] Mr. Plowden says that there was an ancient prophecy that a king of this name should reform Abyssinia, restore the Christian faith, and become master of the world. *Ibid.*, vol. lxii. p. 840.

[4] See Mr. Plowden's account of the monarch, *ibid.*, vol. xlix. p. 871. The very interesting report on Abyssinia, in which this passage occurs, should be also referred to.

[5] Dr. Beke, the well-known traveller, saw clearly that Mr. Plowden's conduct left him no opportunity to attend to his real duty—the development of trade—and led indirectly to his own death. See his despatch to the Board of Trade, *ibid.*, vol. liv. p. 1169.

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had lately assumed the seals of the Foreign Office, appears to have realised that Mr. Plowden's position was impossible. 'I have to observe to you,' so he wrote, in words characteristic of this excellent composer of pungent letters, 'that her Majesty's Government do not consider that any special advantage is derived from your repeated visits into the interior. You will therefore return to Massowah, which is your proper residence, and you will not leave it, unless under very exceptional circumstances, without orders or permission from the Secretary of State.'[1]

Mr. Plowden, in 1860, directed to return to Massowah,

For once, and after ten years of doubt, a British statesman had given a sensible direction to his agent in Abyssinia. Fortune willed that even this direction should be followed by fatal consequences. Mr. Plowden, on his way to Massowah,[2] was attacked by the Dejaj Garred, was wounded and taken prisoner. He was ransomed and carried to Gondar, where, after lingering for three days, he died. He was buried by his Abyssinian friends at Gondar with great honour.[3] Nor was this all. The King took upon himself, and refused to be repaid, Mr. Plowden's ransom. He executed signal vengeance on Mr. Plowden's murderers, attacking, defeating, and 'exterminating'[4] the assassins, and the whole of their followers. Lord Palmerston himself could not have more effectively vindicated the rights, or avenged the wrongs, of the British citizen.

is killed on his way.

In Mr. Plowden's place, Lord Russell selected

[1] *State Papers*, vol. lii. p. 876.

[2] I am following the English account, *ibid.*, p. 880. The matter is of comparatively small importance; but the French account, *ibid.*, p. 878, implies that Mr. Plowden was on his way to Theodore. The French account says that the Dejaj Garred demanded a tribute for Mr. Plowden's safe passage, and that on Mr. Plowden's refusal a quarrel arose, in which the Englishman fired a pistol at the Abyssinian, and the Abyssinian retaliated with the *coup de lance* which proved fatal.

[3] *Ibid.*, p. 880.

[4] Theodore's own phrase in *State Papers*, vol. liv. p. 1154. Consul Cameron said that he executed 1,500 of Garred's or Garratt's followers on the day on which Garratt was slain (*ibid.*, vol. lii. p. 55), and that he did this 'to win the friendship of her Majesty.'

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Captain Cameron, who was at the time Vice-Consul at Poti,[1] as his successor, telling him, in his original instructions, to make his headquarters at Massowah, and to maintain a strictly neutral attitude on all civil and religious questions, but subsequently directing him to proceed to Theodore and convey to that monarch a present which the Queen was sending to him, as an acknowledgment of his kindness towards Mr. Consul Plowden. Consul Cameron joined Theodore in October 1862. It was soon apparent that the objects which the Consul was instructed to promote, were quite different from those at which King Theodore was aiming; for, while the British Government desired a treaty and the acceptance of a consul with a certain jurisdiction, the King was anxious to obtain the assistance of the British against the inroads of the Turks on the east, and of the Egyptians on the north. He seems to have persuaded himself that he would probably obtain this help if he could send a suitable embassy to the Queen; and he actually gave Consul Cameron a letter, which he addressed to her Majesty, asking her to arrange for the safe passage of such a mission.[2] By some unfortunate blunder, this letter was never answered. Lord Russell, indeed, was much too occupied in attending to Consul Cameron's proceedings, to think about the King's letter; for, notwithstanding his original instructions, Consul Cameron was already walking in Mr. Plowden's footsteps, and taking an active part in the internal politics of Abyssinia. 'It is not desirable for her Majesty's agents to meddle in the affairs of Abyssinia.' Return to Massowah, and remain there until further orders.' Such was the acknowledgment which Lord Russell sent to the despatch inclosing the King's letter to the Queen.[3] 'Her Majesty's Government do not approve

Captain Cameron appointed Consul.

King Theodore's letter to Queen Victoria,

which is unanswered.

[1] *State Papers*, vol. liv. p. 1153. [2] *Ibid.*, vol. liii. pp. 51-63.
[3] *Ibid.*, p. 64.

your proceedings in Abyssinia. I have only to desire that you will abstain from all interference in the internal affairs of the country, and remain at your post at Massowah,' so he added five months afterwards.[1]

Theodore detains Consul Cameron.

It was easy for Lord Russell to give these sensible instructions, but it was not so easy for Consul Cameron to execute them; for events were marching fast in Abyssinia. The King, who was by this time contracting the vices of a savage despot, was developing a temper which knew no control; and Consul Cameron, with many other Europeans, was practically a prisoner.

The first brunt of the King's fury fell on the French Vice-Consul, M. Lejean. This gentleman, who had been despatched to Theodore by Napoleon III., grew weary of the hardships to which he was exposed in accompanying the King in his campaigns, and asked leave to retire. Theodore replied by putting him in chains for twenty-four hours. An English missionary, Mr. Stern, in reporting the circumstances to the British Consul-General in Egypt, had the bad taste to add the sneer, that 'the polite Frenchman keenly feels this ill treatment.'[2]

Partly through the intervention of the British Consul, who anticipated Lord Russell's instructions to use his good offices in the matter,[3] M. Lejean was released, and allowed to leave Abyssinia. But, in the meanwhile, Theodore's anger had fallen on another victim. In September 1863, Mr. Stern himself, who had been living at Djenda, a place near Gondar, decided to return to Europe through Massowah. On his way through Gondar, he sought an interview with Theodore, unhappily selecting an evening when the King had 'given a great dinner,' and when, presumably, he was not very sober. Mr. Stern was accompanied by two servants,

[1] *State Papers*, vol. liii. p. 73.

[2] *Ibid.*, vol. liv. p. 1194. Mr. Stern was the chief missionary of the Church of England. *Ibid.*, p. 1203.

[3] Cf. pp. 1193, 1201.

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The outrage on Mr. Stern, a British missionary.

one of whom acted as interpreter, but 'understood his business very badly.' The King grew angry with the imperfections of the interpreter, and ordered him and his fellow servant to be beaten. Mr. Stern, unable to endure the sight, 'turned round and bit his finger, not knowing that this meant vengeance in Abyssinia. On this, the King ordered him to be beaten too.'[1] Mr. Stern's unfortunate servants died from the effects of their wounds; Mr. Stern himself recovered, but he was kept in chains. Soon afterwards, all the other Europeans in Gondar were arrested; and Captain Cameron, though nominally still at liberty, was kept practically a prisoner, and not allowed to leave Gondar.[2]

On receiving news of these events, Lord Russell at once instructed the British Consul at Cairo to demand, as a right, the release of Consul Cameron and of all other British subjects, and to use his influence in favour of any other Europeans detained in Abyssinia against their will. The King was to be plainly told that, if he refused this demand, he would incur the very serious displeasure of the British Government, and expose himself to consequences which might involve him in great embarrassment and shake his authority.[3] But, before this communication reached Theodore, Lord Russell's own action had further entangled a tangled skein; for, at the close of 1863, a messenger reached Gondar with letters from Europe, among which was Lord Russell's own despatch to Captain Cameron, directing him to return to Massowah. The despatch was carried to Theodore, and excited his suspicions and his wrath: his wrath, for it contained no answer to the letter which he himself, months

[1] *State Papers*, vol. liv. p. 1208. The passages in inverted commas are from the report of Mr. Haussman, another missionary. It is difficult to believe that Mr. Stern did not know the significance attaching to his action in biting his finger—an action which, on any other ground, seems unintelligible. Mr. Stern's own account will be found in a letter to his wife. *Ibid.*, vol. lv. p. 1348.

[2] Cf. *ibid.*, pp. 1205, 1209.

[3] *Ibid.*, p. 1210.

before, had addressed to the Queen; his suspicions, for he fancied that any European leaving Gondar was leaving to compass plans for the invasion of Abyssinia. Captain Cameron was accordingly thrown into prison, and chained.[1]

Captain Cameron chained in prison.

This news increased the difficulties of the Government at home. Lord Russell, at the time of its arrival in England, was labouring to compose the differences between Denmark and the German powers; and, with a grave crisis in Europe to deal with, he had not much temptation to embroil himself in Abyssinia. It was not easy, moreover, to see how the arm of England could reach Theodore at Gondar. The French Government itself, in asking the good offices of England in favour of M. Lejean, had frankly told the British Ambassador at Paris that, if they knew how satisfaction could be obtained, they would take measures for requiring it; but that they feared 'nothing effective could be done.'[2] The task which England had to perform in 1864 did not seem easier than that from which France had shrunk in the previous autumn. It was probable, moreover, that any real demonstration of force might defeat its object by endangering the lives of the prisoners; and Lord Russell accordingly determined—probably wisely determined—in the first instance to try conciliatory measures, and to entrust the conduct of them to a new agent.

Mr. Rassam sent to Abyssinia.

The man whom he selected for the purpose was a Mr. Rassam. Years before, Mr. Rassam had assisted Mr. Layard, who had now risen to the post of Under Secretary to the Foreign Office,[3] in the excavations on the site of Nineveh, which had first brought him into notice. Mr. Rassam, in the intervening years, had been employed at the British Residency at Aden. Lord

[1] *State Papers*, vol. liv. pp. 1215, 1222, 1236.

[2] *Ibid.*, p. 1195.

[3] Mr. Layard had previously held the Under-Secretaryship for a short time in 1852. See Sir Arthur Otway's chapter in Mr. Layard's biography.

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Russell was afterwards severely criticised for sending an Asiatic on such a mission;[1] and, as a matter of fact, Dr. Beke, a distinguished traveller, had offered to undertake it.[2] There is no good reason, however, for supposing that Mr. Rassam was an unfortunate choice, or that Dr. Beke would have succeeded where Mr. Rassam failed. In order to make Mr. Rassam's intervention more acceptable, he was entrusted with the Queen's written answer to Theodore's neglected letter,[3] and the Patriarch of the Copts in Egypt was asked to use his influence with the Aboona, or head of the Abyssinian Church, to promote the success of Mr. Rassam's mission.[4]

Mr. Rassam reached Massowah towards the end of July 1864, and at once sent a message to the King, asking his permission to come to Gondar and present her Majesty's letter; or, if the King thought that course inadvisable, inviting him to release Consul Cameron and his fellow prisoners. Mr. Rassam's letter, however, remained unanswered; and, in the summer of 1865, Mr. Rassam was still at Massowah, unable to obtain any answer from the King or to open any communication with Captain Cameron.[5] Mr. Rassam, indeed, might have said, as the watchman said to Joram, 'The messenger came to them, but he cometh not again.' Ten months of weary waiting at Massowah had effected nothing. Letters, which arrived from the prisoners, spoke, in terms of natural dejection, both of their condition and prospects, but, at the same time, urged Mr. Rassam

[1] *Hansard*, vol. clxxviii. p. 1077.

[2] *State Papers*, vol. liv. p. 1219.

[3] See Mr. Flad's account, *State Papers*, vol. lv. p. 1312. Theodore said to Mr. Cameron, 'Why does your Government despise me? Have I not sent a letter through you to your Queen? Why do I not get an answer? . . . Until I receive an answer, I shall detain you as my prisoner.'

[4] *Ibid.*, vol. liv. p. 1223 *seq.* In the letter, as originally sent, the Queen refused the embassy which Theodore wished to send her. The delay in its delivery enabled Lord Russell to substitute another letter for it, offering to receive the embassy. Cf. the two letters, *ibid.*, vol. liv. p. 1224, and vol. lv. p. 1298.

[5] *Ibid.*, vol. liv. pp. 1240, 1261; and cf. vol. lv. p. 1331.

not to encounter the risks of a journey to Magdala 'with or without a safe-conduct;'[1] and Mr. Rassam, in some doubt as to the course which he should pursue, decided on proceeding to Egypt, and conferring with the British Consul-General.[2]

He returns to Egypt to consult the British Consul-General.

Lord Russell, on his part, was already contemplating a fresh policy. Mr. Gifford Palgrave, 'a gentleman well known for his travels in Arabia,' offered to proceed to the Court of King Theodore, and endeavour to effect the liberation of the captives.[3] Lord Russell decided on availing himself of Mr. Palgrave's offer, and of practically confiding the future conduct of the negotiation to him alone. But the new policy was never destined to be carried out. Just before Mr. Rassam left Massowah for Egypt, he received the long-expected reply from Theodore. The King complained of the conduct of Mr. Cameron and of Mr. Stern; he marked the sense of his annoyance—the ways of savage nations are strange—by omitting either to sign or seal his letter. But he offered to receive Mr. Rassam. A rebellion in Tigré, however, blocked the direct route to Gondar; Mr. Rassam, accordingly, should come round by Matemma. 'By the power of God,' so Theodore concluded, 'come round by way of Matemma. When you reach Matemma, send me a messenger, and, by the power of God, I will send people to receive you.'[4]

King Theodore offers to receive Mr. Rassam.

This letter, which Mr. Rassam received at Massowah before leaving for Egypt, ought, perhaps, to have made him start at once for Gondar; oddly enough, it strengthened his determination to go to Egypt. The road between Kassala and Matemma was so unhealthy, that

[1] See Mr. Cameron's letters, *ibid.*, vol. lv. pp. 1334, 1340. Even in his sufferings Mr. Cameron retained some sense of humour. 'I suppose it will all end in the country being opened, and a mixed civilisation of missionaries and filibusters, chapels of ease and cafés chantants, being introduced. So it is all right.' *Ibid.*, p. 1345.

[2] *Ibid.*, p. 1375.

[3] *Ibid.*, p. 1360.

[4] *Ibid.*, p. 1379.

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even natives were afraid to travel in that part of the Soudan during September and October. He could hardly appear before Theodore empty-handed, and suitable presents could most conveniently be procured in Egypt. Moreover, at Suez he would be within easy reach of London, and would be able to receive instructions from Lord Russell as to the course which he should pursue.[1]

Mr. Rassam's doubts were partly justified by the opinion of Colonel Stanton, the British Consul-General at Alexandria, who, in forwarding Mr. Rassam's despatches to London, expressed an opinion that it would be much better to employ Mr. Palgrave, who was ready to start, than Mr. Rassam on the mission.[2] These hesitations were, however, swept away by Lord Russell's common sense. As Theodore had invited Mr. Rassam to go to him, it was clear to Lord Russell that Mr. Rassam ought to go at once. He regretted, indeed, the delay which had already occurred in Mr. Rassam's journey.[3]

Lord Russell's instructions left Mr. Rassam no alternative but to obey. On the 5th of October, 1865, in the company of Lieutenant Prideaux and Dr. Blanc, who had been attached to his mission, he left Alexandria.[4] In the course of November he reached Matemma, whence he opened fresh communications with Theodore, and, at the end of December, he set out on the final stage of his journey, reaching the King's court on the 28th of January, 1866.

Mr. Rassam's reception.

Nothing could be more gratifying than Theodore's reception of Mr. Rassam. Mr. Rassam himself called it most magnificent. The King seemed anxious to atone for his past conduct. He treated Mr. Rassam with the utmost kindness; he loaded him with presents;

[1] *State Papers*, vol. lv. p. 1378.
[2] *Ibid.*, p. 1375.
[3] *Ibid.*, p. 1388.
[4] *Ibid.*, p. 1415.

he released the prisoners, and placed them at Mr. Rassam's disposal. He even deigned to write to their relations to say that he had felt the grief that had distressed them; and that for the sake of his friend, Victoria, the Queen of England, he had delivered the captives into Mr. Rassam's hands. Only one doubt remained. Though the prisoners were released, they were not at liberty to leave. If their fetters were silken instead of iron, they were still strong to restrain. 'By the power of God,' as the King put it, in writing to Queen Victoria, 'I have released all the Europeans, and made them over to Mr. Rassam; and I have kept your servant, Mr. Hormuzd Rassam, for the sake of consulting together upon the extension of our friendship. We, the people of Ethiopia, are blind, and we beg of your Majesty that you should give light to our eyes, and so may you receive light in the kingdom of Heaven.'[1]

Mr. Rassam detained.

In fact, the King, instead of releasing his prisoners, was, in reality, adding Mr. Rassam and his two companions to the number. He regarded them as hostages, and would not consent to give up his hostages until he received others in exchange. For this purpose he allowed one man, a German missionary, Mr. Flad, to proceed to England, in order that he might obtain the services of skilled workmen, and acquire some English machinery. On the receipt of these he would let the people go.[2] Mr. Flad used more expedition than official envoys occasionally practise. Leaving Theodore in April, he reached London in July: he was back again at Massowah in November. He arrived in England at a critical period. Lord Russell's Government had fallen; and Lord Stanley had succeeded to the Foreign Office. Abroad, a great war was altering the face of

Mr. Flad's Mission.

[1] *State Papers*, vol. lx. pp. 1036–1040.
[2] Cf. *ibid.*, pp. 1047, 1055.

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Europe. Mr. Flad told Theodore, in a letter which he sent to him in September, and in which he announced his approaching return: 'The King of Prussia, before going to battle, [had] proclaimed a day of repentance and united prayer throughout his dominions. His Majesty humbled himself before God, and was earnestly praying; out of which it came that he got the victory over all the German confederations, including Austria. Throughout Europe is great sickness, and a great number of people die every day.' In Persia sixteen villages were swallowed up from the earth. Many believers say that the Lord's Second Advent is near, according to Matthew xxiv. 30, to chapter xxv. 46, and Revelation xx.' But the pious example of the King of Prussia had no more effect on Theodore than the news of sickness in Europe, of earthquakes in Persia, or even of the belief that the Second Advent was at hand. The Lord hardened the heart of Theodore; and, instead of letting the prisoners go, he added Mr. Flad himself, on his return, to the number.[1]

Forbearance had, by this time, reached its utmost limits. It could not be expected that Englishmen would patiently submit to the detention of a British consul, and of British missionaries, by a savage despot. Even in 1864, a missionary paper had complained that 'England had shown herself very weak in Europe,' and had asked whether she would 'allow herself to be insulted by barbarous and uncivilised nations, merely from a motive of saving money rather than her honour? Will not only European but even uncivilised nations say the English lion has got old, and lost his powerful teeth? . . . Neither France nor Russia would endure such an insult.'[2] In no case would it have been possible to refrain from measures for effecting Mr. Rassam's release;

[1] *State Papers*, vol. lx. pp. 1059, 1087.

[2] The article, sent to the Foreign Office by Mrs. Stern, was republished, *ibid.*, vol. liv. p. 1052.

and such measures seemed more necessary because the swing of the political pendulum in England had brought into high political office the very men who, in 1865 and in 1866, had brought the Abyssinian question before the Houses of Parliament.[1] One of them, Lord Chelmsford, held the office of Lord Chancellor; the other, Sir Hugh Cairns, that of Attorney-General. Their presence in the new Ministry indicated a probability that sterner measures would be immediately adopted to redress the wrongs from which British officials and British citizens were suffering, and that the time was approaching when fruitless negotiation would be replaced by force. Accordingly, in the autumn of 1867, the Government of Lord Derby decided on war.

The change of Government in England.

It was determined that the expedition, which was to be sent to Abyssinia, should be organised in India, and that it should be entrusted to Sir Robert Napier, who commanded the British forces in Bombay. The troops who were thus despatched had to contend with the double difficulty which a mountainous country and a tropical climate offer to an invading force. The anxiety of its commander was increased by the apprehension that its object might be defeated by the slaughter of the captives on his advance. Sir Robert Napier, however, succeeded in triumphing over the physical obstacles to his progress, and—an easier task—over the

The Abyssinian expedition.

[1] *Hansard*, vol. clxxviii. p. 1075; clxxix. p. 726; vol. clxxx. p. 992. In the week in which I wrote this paragraph, I was amused to read a letter in the *Times* (23rd of December, 1901), complaining of Lord Lansdowne's wise refusal to encourage missionary enterprise in the Soudan, 'the undeveloped condition of which makes it impossible to provide for the security of missionaries.' Mr. Walter Tallack, the writer of the letter, says: 'The best class of missionaries is willing to rely mainly upon Divine protection, and, if need be, to incur even the risk of martyrdom in the course of their service.' I should be sorry to exclude Mr. Stern and his fellow sufferers from the best class of missionaries; but they and their friends certainly did not think it consistent with the honour of England to leave them in the predicament for which Mr. Tallack apparently considers that the best class of missionaries is always prepared.

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soldiers of Theodore. And Theodore happily refrained from murdering the men who had so long been the victims of his fury. His dead body, slain by his own hand, was found amid the ruins of Magdala.

Its success.

No one can read the story of the expedition without realising that it was carefully planned, ably conducted; that the release of the men for whose succour it was undertaken was a worthy object; and that the withdrawal of our troops, after victory had been assured, was as wise as, unhappily, it remains, a singular policy. It required, indeed, the extravagance of rhetoric to throw a little ridicule on a campaign which required nothing but approval. Mr. Disraeli, in his lighter moods, was the happiest speaker of his generation; in his pompous passages, he was almost the worst. Sir Robert Napier, so he said in the House of Commons, 'had led the elephants of Asia, bearing the artillery of Europe, over African passes which might have startled the trapper and appalled the hunter of the Alps. [He] had to scale a mountain fortress, of which the intrinsic strength was such, that it may be fairly said it would have been impregnable to the whole world had it been defended by the man by whom it was assailed. But all these obstacles, and all these difficulties and dangers, were overcome by Sir Robert Napier, and that came to pass, which ten years ago not one of us could have imagined even in his dreams—the standard of St. George was hoisted on the mountains of Rasselas.'[1] It is necessary to ascend the stream of history for more than a quarter of a century to find a responsible British statesman uttering, either by voice or pen, turgid nonsense of a similar description; for 'the standard of St. George on the mountains of Rasselas' recalls 'the gates of the temple of Somnauth,' and the despoiled

[1] *Hansard*, vol. cxciii. pp. 522, 523.

tomb of Sultan Mohammed looking 'upon the ruins of Ghuznee.'[1]

The meeting of Parliament.

The expedition necessitated the meeting of Parliament for an autumn session. The authority of the Legislature was required for the expenditure which the expedition involved, and for which no provision had been made in the ordinary estimates of the year. And the authority of Parliament was also necessary before the revenues of India could be applied, under the provisions of the Act of 1859,[2] to the expense of any military operations beyond the Indian frontier. The cost of the expedition was, indeed, thrown on the taxpayers of this country; but it was decided that India should contribute to it the ordinary pay of the troops which she sent to Abyssinia, and it was held that, as India was temporarily deprived of the services of these men, employed, for imperial purposes, beyond her own frontiers, she was, in effect, contributing to the cost of the expedition, and that the sanction of Parliament to her doing so was necessary. This view was not likely to be disputed in either of the two branches of the Legislature; but the meeting of Parliament, notwithstanding, gave rise to considerable discussion. For the critics of the Ministry complained that Ministers, at the close of the preceding Session, had deliberately thrown dust in the eyes of the Legislature by concealing from its members the momentous decision at which they had already virtually arrived of declaring war.

The Government is charged with misleading Parliament.

In the heated controversy which thus arose, those who assailed, and those who defended, the Ministry were both, to a certain extent, in the right. The former could fairly maintain that, throughout the preceding Session, Ministers had always used language implying that the expediency of an expedition was still

[1] See *History of England*, vol. vi. p. 202.

[2] *Supra*, vol. i. p. 171.

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under consideration;[1] though the papers decisively showed that, before Parliament separated, the expedition had been virtually arranged and its commander actually appointed. They could also complain that the Queen, in proroguing Parliament, had been advised to announce that she had despatched an ultimatum to Theodore,[2] when, as a matter of fact, her Ministers had decided to keep back the ultimatum, and to hurry on the preparations for the expedition. But the latter could reply that the actual decision, that the expedition should sail, was not formally arrived at till the inquiries, which the Government was making into its feasibility, were complete; and that the answer to these inquiries was not received till after the date on which the communication to the Legislature was made. In this strange controversy, in which the Government was, perhaps, technically in the right, but in which the Opposition was substantially justified in its criticism, it was, perhaps, fortunate that the defence of the Ministry was placed in the hands of Lord Stanley, the Secretary of State for Foreign Affairs, and of Sir Stafford Northcote, the Secretary of State for India, and not of Mr. Disraeli; for, in 1867, no one on either side of the House had much trust in Mr. Disraeli's word, while every one, on both sides of it, was disposed to place implicit reliance on the good faith of Lord Stanley and Sir Stafford Northcote.[3]

The expedition sanctioned.

Notwithstanding these criticisms, the Government easily succeeded in obtaining a resolution authorising

[1] Lord Stanley, speaking on the 26th of July, had said that 'it would be madness to throw a British army into an unknown country, in a tropical climate, without a full previous investigation. I do not think that we should be called upon, even now, to give any pledge, on the part of the Government, as to an expedition unless it is found to be practicable with only a reasonable expenditure of ways and means.' *Hansard*, vol. clxxxix. p. 252.

[2] See the Queen's Speech, *ibid.*, p. 1635.

[3] Cf. Mr. Lowe's attack in *Hansard*, vol. exc. p. 195, and Lord Stanley's defence, *ibid.*, pp. 205, 210.

them to employ Indian troops in the campaign,[1] and a vote of 2,000,000*l.* towards that portion of its cost likely to fall on the current financial year.[2] But, before Parliament separated, it was necessary to decide how this 2,000,000*l.* should be raised. It so happened that Mrs. Disraeli's ill health kept Mr. Disraeli from the House; and that the task accordingly fell on the Secretary to the Treasury, Mr. Ward Hunt.

The financial arrangements necessary.

In finance, the Conservative Government of 1866 enjoyed one great advantage. It inherited the surpluses which Mr. Gladstone had created. In 1866, Mr. Gladstone had anticipated a revenue of 67,013,000*l.*; and the actual receipts had amounted to 69,434,000*l.* He had placed the expenditure at 67,031,000*l.*; and it had only reached 66,800,000*l.*[3] These figures were the more satisfactory because the financial crisis of 1866 had deranged the money market, and inflicted a heavy blow on the credit of the country. They had naturally enabled Mr. Disraeli to produce a satisfactory Budget in the Session of 1867, and to anticipate a surplus of 1,200,000*l.* In opposition, he had availed himself of the opportunity of denouncing his rival's financial policy; and he was reaping in office the fruits which had ensued from it.[4] The surplus of 1,200,000*l.* had

[1] *Hansard*, vol. cxc. pp. 359–407.

[2] The whole expense was placed at 3,500,000*l.* *Ibid.*, pp. 181, 192. The cost of the war, however, exceeded 8,300,000*l.* See Statistical Abstracts.

[3] Mr. Gladstone, in his Budget, placed the expenditure at 66,215,000*l.*; but the charge was increased by supplemental estimates to 67,031,000*l.* *Hansard*, vol. clxxxvi. p. 1111.

[4] The figures of the Budget of 1867 may be added for convenience of reference.

| Revenue. | | Expenditure. | |
|---|---|---|---|
| Customs | £22,000,000 | Debt | £26,000,000 |
| Excise | 20,700,000 | Consolidated Fund | 1,900,000 |
| Stamps | 9,550,000 | Army | 15,253,000 |
| Taxes | 3,500,000 | Navy | 10,926,000 |
| Income Tax | 6,000,000 | Civil Service | 8,203,000 |
| Post Office | 4,650,000 | Revenue Departments | 5,045,000 |
| Crown Lands | 340,000 | Packet Service | 807,000 |
| Miscellaneous | 2,600,000 | | |
| | £69,340,000 | | £68,134,000 |

*Ibid.*, pp. 1112, 1113.

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enabled him to carry out a scheme, which Mr. Gladstone had projected a year before, and convert a considerable amount of stock into a temporary annuity, as well as to effect a small reduction on the duty payable on marine insurances.[1] These proposals, however, had disposed of most of the available revenue, and left the Government with only a small balance of 200,000*l.* which it could devote to the cost of the Abyssinian war. It decided in November to meet the difficulty by adding a penny to the income tax, and by paying for the remaining cost of the war out of the balances in the Exchequer.[2] In this way it hoped to provide for the necessary expenses of the campaign till Parliament resumed its work, at the ordinary season, in the following February.

The Session of 1868.

These arrangements made, Parliament separated for a two months' holiday. When it reassembled, on the 13th of February, 1868, it found itself in a position of some advantage; for, meeting only after an adjournment, it was spared from the ceremonial debate on the Address, which is so often made a pretext for the consumption of time, and was able to take up at once the business of the Session. That business was unusually heavy; for the great measure of the preceding year, which had bestowed household suffrage on England, had to be supplemented by Reform Acts for both Scotland and Ireland. Some new machinery had concurrently to be introduced for the trial of election petitions; and provision had also to be made for defraying the remaining cost of the Abyssinian war. These things would have been sufficient to absorb the time of any Parliament; but they were almost for-

[1] *Hansard*, vol. clxxxvi. pp. 1119–1122.

[2] It was estimated that the additional penny would produce 840,000*l.*, that the surplus revenue might yield another 200,000*l.*, and that the remaining 960,000*l.* would fall on the Exchequer balances. *Ibid.*, p. 342.

gotten in the excitement, which resulted from the resignation of the Prime Minister, and from the debate to which a painful recrudescence of Fenianism gave rise.

Lord Derby's resignation.

Lord Derby resigned office on the 24th of February, eleven days after Parliament had reassembled.[1] His growing years—he was born in 1799—and his habitual sufferings—he was a martyr to gout—justified and necessitated his resignation. His disappearance from the political stage made a far greater change than contemporary critics observed. With Lord Derby, a whole race of statesmen disappeared. He was the last of the Prime Ministers who had held high office before the Reform Act of 1832; and power, on his fall, was to be transferred to men, not much younger in point of years, but whose characters and opinions had been moulded by other influences. He was, moreover, the last of the Tories. He had, indeed, by his own concluding action made Toryism impossible; for, in 1867, he had thrown the ramparts of Toryism into a heap, and had himself mounted the structure and fired the funeral pile.

His oratory was of a high order; yet, like that of Mr. Gladstone and of many other great debaters, it depended largely on his voice, his action, the fire of his eye. When his speeches are read, sixty or seventy years after delivery, it is difficult to understand how they could have been preferred to the best efforts of Mr. O'Connell. Yet there seems to be no doubt that there was a time when Lord Derby was the most effective of living speakers. Bulwer's well-known lines only record the impression which he undoubtedly made on his contemporaries. Even Mr. O'Connell quailed before the fire of his glance.

History will record that he broke up Lord Grey's

[1] Lord Derby obviously postponed his resignation to that date in order that the Bill for suspending the Habeas Corpus Act in Ireland, to which reference will immediately be made, might be carried without the delay which the ministerial changes would otherwise have involved.

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Ministry in 1834; that he broke up Sir Robert Peel's Ministry in 1845; and that he destroyed the old Tory party by his memorable leap in the dark in 1867. It will record, too, that he thrice had the courage to place himself at the head of a Ministry which was only supported by a minority of the House of Commons; and that, if circumstances prevented him from effecting anything that was great, he filled the position on each occasion with honour to himself and with advantage to his country. But history will also record that, in those cases in which he left the Ministries of Lord Grey and Sir Robert Peel, and in those instances in which he assumed the Prime Ministership, he acted in opposition to contemporary opinion and to later criticism; for, if Lord Derby could be rightly named the Rupert of debate, it was his fortune, like that of Rupert, that he was constantly on the losing side.

Mr. Disraeli becomes Prime Minister.

His place in the Ministry was filled by the brilliant but unscrupulous lieutenant, who had just bitterly offended many of his supporters by boasting at Edinburgh that he had had 'to prepare the mind of the country and to educate [his] party' for what one of the most distinguished members of it had just called 'the Conservative surrender' of 1867.[1] In the same speech he had vindicated the right of the Tory party (Mr. Disraeli was fond of the old word Tory) to be the national party of England; and had declared that, when the people are led by their natural leaders, the Tory party is triumphant. Natural leaders! If the whole Carlton Club had been ransacked, it would have been impossible to find another member of it who had less claim than Mr. Disraeli to be regarded as the natural leader of the English people. He fascinated

[1] *Lord Beaconsfield's Speeches*, vol. ii. p. 479. The article in the *Quarterly* on the Conservative Surrender was understood to be from the pen of Lord Salisbury.

men with his genius, he amazed them with his dexterity, he amused them with his wit, he perplexed them with his tactics, but he was alien from them in blood, in tastes, in ideas. He rose to the first place in their counsels because, however much they may have distrusted his policy, they could not resist his ability. No one, among the inferior or less ambitious men around him, could venture even to contest his supremacy.

It was Mr. Disraeli's cue to pose as the natural successor of Lord Derby. He succeeded to his principles:[1] he succeeded also to his Cabinet. Except that Mr. Ward Hunt was promoted to the Chancellorship of the Exchequer, which Mr. Disraeli himself vacated; that the amiable and witty lawyer, who filled the woolsack, was replaced by perhaps the ablest of Mr. Disraeli's followers, Sir Hugh, who now became Lord, Cairns; and that Mr. Spencer Walpole retired finally from the Cabinet, in which, at Lord Derby's request, he had continued to sit since his resignation of the Home Office, the Cabinet remained the same Cabinet which Lord Derby had formed, or had reconstructed, after the secession of some of its most distinguished members in the spring of 1867.

The Budget of 1868.

It thus fell to Mr. Ward Hunt's lot to explain the proposals which the Government contemplated for meeting the further cost of the Abyssinian expedition and the general expenditure of the year. Things had not gone particularly well at the Treasury since Mr. Ward Hunt had made the provisional proposals of the preceding November. The reduction of the duty on marine insurances had cost more than the Treasury had expected; the addition to the income tax had produced less than Mr. Ward Hunt had anticipated; and the year 1867–68 had closed with the largest deficit which

[1] See Mr. Disraeli's speech, *Hansard*, vol. cxc. p. 1116.

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the country had experienced for seven years.[1] At the same time the expenditure of the country was tending again to grow; its apparent growth had been accelerated by an alteration in the method of keeping the national accounts;[2] and the cost of the Abyssinian war, it was already clear, was likely to exceed the modest estimates of the preceding autumn. In view of these various contingencies, Mr. Ward Hunt decided to borrow 1,000,000*l.* on Exchequer bonds, and add a further penny to the income tax, raising it to the rate of 6*d.* in the pound.[3]

It had been the merit of Mr. Gladstone's Administration of the Exchequer that, from 1859 to 1866, he had succeeded in effecting sensible retrenchment in the national expenditure. It was the misfortune or the fault of his successors that they dissipated in a few months the savings, which he had been years in making. The expenditure of the nation—even without the cost of the Abyssinian war—was again exceeding 70,000,000*l.*;

[1] The additional penny was estimated to yield 840,000*l.* It produced, before the 31st of March, only 377,000*l.* *Hansard*, vol. excl. p. 1151. The alteration in the marine insurance duty cost, according to Mr. Ward Hunt, 270,000*l.* (*ibid.*, p. 1156), and according to the published accounts, 319,000*l.*, in lieu of 210,000*l.* The deficit of the year 1867–68 amounted to 1,636,000*l.* *Ibid.*, p. 1158.

[2] In 1868 an Act was passed requiring every department to pay any moneys which it collected into the Exchequer, instead of using them in reduction of votes. *Ibid.*, p. 1161. For example, if the Admiralty sold some old sail cloth, it was required under the new system to pay the amount into the Treasury instead of using it in the purchase of new stores or in other ways. This change of course led to an apparent increase in the figures on both sides of the national balance sheet.

[3] The figures in the Budget were:

| Revenue. | | Expenditure. | |
|---|---|---|---|
| Customs | £22,800,000 | Debt | £26,700,000 |
| Excise | 20,330,000 | Consolidated Fund | 1,865,000 |
| Stamps | 9,650,000 | Army | 15,456,000 |
| Taxes | 3,540,000 | Navy | 11,177,000 |
| Income Tax at 6*d.* | 8,700,000 | Civil Service | 9,173,000 |
| Post Office | 4,650,000 | Revenue Departments | 4,968,000 |
| Crown Lands | 350,000 | Packet Service | 1,089,000 |
| Miscellaneous | 3,130,000 | Abyssinian Expedition | 3,000,000 |
| | £73,150,000 | | £73,428,000 |

*Hansard*, vol. cxci. p. 1160 *et seq.*

and the increased charge was spread over almost all the departments of the State. The arrangements, which Mr. Ward Hunt was proposing, moreover, for meeting the increased expenditure due to the operations in Abyssinia, could not be regarded as heroic. He was practically throwing a large portion of the expenses of the war on future years. His decision to do so would have been bad enough if the estimates of the cost of the campaign had been prepared with any care; but, as a matter of fact, they had been framed with so little prudence that they could only be regarded as inexact and imperfect guesses. The guess of 3,500,000*l.* in the autumn of 1867, became a guess of 5,000,000*l.* in the spring of 1868, and a reality of more than 8,000,000*l.* in the autumn of that year. No doubt, there is some difficulty in forecasting the cost of operations which may be indefinitely protracted by some unforeseen military difficulty. But the distinction of the operations in Abyssinia rests on the fact that the difficulties were foreseen and surmounted, and that the operations from first to last were conducted with success, and within the limits of time, which had been anticipated. In these circumstances, it ought to have been possible to forecast the cost of operations which were not protracted by any disturbing or unexpected occurrence; and the failure to do so reflects on the capacity of the Government, which had the assurance to imagine that they could conduct a difficult and distant campaign for the sum which they asked Parliament to grant in the autumn of 1867.

The purchase of the electric telegraphs.

If the Budget had stood alone, Mr. Ward Hunt's career at the Exchequer would not be remembered. It was his good fortune, however, to be associated with another measure which, though financially a failure, has done much to promote the transactions of commerce, and the prosperity, and even happiness, of the people.

Rather more than thirty years had passed since the

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first experimental wire, erected in the north of London, had proved that electricity was capable of being employed for the transmission of correspondence. In the generation which had since elapsed, the triumphs of the electrician had been great. France and England had been electrically connected in 1851; while, in 1866, a cable had actually been laid under the Atlantic, and the Old World had been placed in electrical communication with the New. But the internal development of telegraphy in England had hardly kept pace with its external growth. The private companies, which had been formed for the purpose of carrying messages by electricity, naturally made it their first business to consider the interests of their shareholders. Their charges were in every case high,[1] and they confined their business to the great centres of population. In rural England, the telegraph was consequently almost unknown; and many towns with from 3,000 to 6,000 inhabitants were without any facilities for communication by telegraphy.

A high tariff was less tolerable because lower charges were already in operation on the Continent. Belgium and Switzerland had led the way in cheap telegraphy; and the tourist in those countries, if he had occasion to use the telegraph, found—and must have been mortified to find—that he could send a message for less than one-third of the minimum sum for which he could use the telegraph at home.[2]

It resulted from this state of things, that the telegraph was neglected by the general community, and used only by men who were engaged in speculative business, or in trading in perishable articles. The great

[1] The tariff was, for 100 miles 1*s.* for 20 words, for 200 miles 1*s.* 6*d.*, for over 200 miles 2*s.*, for Ireland from England 4*s.* *Hansard*, vol. cxci. p. 680; cf. The Postmaster-General's 41st Report, 1895, p. 35.

[2] The minimum charge for a telegram in Belgium and Switzerland was 5*d.* (half a franc) for 160 or 200 miles. This corresponded with the British minimum of 1*s.* 6*d.* *Hansard*, vol. cxci. p. 680.

mass of the people never used the telegraph at all, or used it only on occasions of sore necessity. They were thus brought to look upon a telegraphic message 'with a feeling amounting to fear.' It was almost certain to contain bad news—an announcement of the grave illness of a friend, or a summons to the death-bed of a relation.[1]

In consequence of the complaints, which inevitably resulted from this state of things, Government proposed, and Parliament, after some debate, sanctioned, a measure enabling the Post Office to acquire, by purchase, the property of the various companies carrying on telegraphic business within the limits of the United Kingdom, and vesting the monopoly of telegraphic communication in the Postmaster-General.[2] The purchase, which was in consequence effected, was carried out on terms which many people regarded as unduly favourable to the companies concerned; but, apart from this criticism, there can be little doubt that the measure was attended with considerable advantage to the people of this country. The Post Office, carrying out the principle which it had applied to the carriage of letters since 1840, imposed a uniform charge of one shilling on each message of twenty words. The machinery, already at its disposal, enabled it rapidly to multiply the number of offices for the receiving and the delivery of telegrams. The business in consequence rapidly increased, and the

[1] Postmaster-General's 41st Report, p. 34.

[2] *Ibid.*, pp. 34, 35. *Hansard*, vol. cxci. p. 678; 31 & 32 Vict., c. 110. The Bill of 1868, it ought to be added, was to some extent provisional. It was supplemented by a measure, introduced by Lord Hartington, Postmaster-General in Mr. Gladstone's Administration. Roughly speaking, Lord Hartington asked for a sum of 6,715,000*l.* for the purchase and development of the telegraphic business of the country. The interest of the capital he placed (at 4 per cent.) at 270,000*l.* a year; and, as he expected a gross revenue of 673,838*l.* and a net profit of 314,354*l.*, he assumed that he would have a surplus of 44,000*l.* a year. In order to protect the property which he thus acquired, he asked for and obtained a monopoly of telegraphic business. *Hansard*, vol. cxcvii. pp. 1214–1226.

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messages grew, from a minimum of 10,000,000 in the year succeeding the transfer of the business to the State, to no fewer than 33,000,000 in 1885, the year in which a new step was taken by the reduction in the charge of each message from one shilling to sixpence.

Mr. Scudamore.

The credit of this reform was largely due to a distinguished civil servant. Mr. Scudamore had already rendered marked service to the State by the part which he had taken in devising the plan, which Mr. Gladstone had adopted in 1861, for placing the machinery of the Post Office at the disposal of the public as a huge Savings Bank. His success in doing so encouraged him to believe that the office, with which he was so closely connected, could undertake the whole internal telegraphic correspondence of the country. And he became the chief agent of the Government for the acquisition of the business, which had hitherto been imperfectly conducted by private companies. In carrying out this great work he unfortunately displayed a laxity of financial control which ultimately led to his retirement from his office, and shook a later administration to its foundations.[1] But his carelessness in this respect should not blind posterity to the work which he accomplished, or to the capacity which he displayed in conducting it. This service was so great that it is right that it should be recognised in the pages of history. As a general rule, indeed, the labour which is performed by the permanent civil servants of the Crown cannot, and ought not to, claim such recognition. The responsibility for their failures, and the credit of their achievements rest, and ought to rest, with their political chieftains. But, in rare instances, even this rule must be disregarded; and, if it is to be ever departed from, it is right that it should be neglected in the case of the man who was largely instrumental in accomplishing two such reforms as the

[1] See Morley, *Life of Gladstone*, vol. ii. pp. 460-464.

institution of the Post Office Savings Bank, and the transfer of the whole telegraphic system of the country to the State.

Ireland and the Fenian movement.

Finance, however, occupied only a small portion of the time of Parliament in 1868. The eternal question of the state of Ireland was again surging into prominence; and the Fenian movement, which had been temporarily arrested in 1865, was again attracting attention and exciting alarm.

In the years 1866 and 1867, the Fenians were very active. In America bands of Fenians crossed over the frontier into Canada, and were only repelled with bloodshed. In Ireland several conflicts, more or less serious in their nature, took place between the police and the members of the Fenian brotherhood. But these events attracted less attention than three occurrences in England—a demonstration at Chester, an outrage at Manchester, and an attack on the prison at Clerkenwell.

The Fenians at Chester.

In February 1867, a large body of reputed Fenians assembled at Chester, with the object, it was alleged, of attacking the castle, and seizing the arms which were stored in that building. The mayor of the town telegraphed to Manchester and Preston for military assistance; and, as it was thought inadvisable to weaken the military garrisons in those towns, the Home Secretary arranged with the Commander-in-Chief that a battalion of Guards, which was under orders to go to Dublin at an early date, should be held in readiness to leave London at a moment's notice. The news which was received in the small hours of the morning of the 12th seemed so serious, and the telegraphic requests of the mayor for assistance were so urgent, that the Home Secretary decided not to risk the consequences of delay, but to send off the troops in the middle of the night.[1] They

[1] It may be interesting to add, that the Home Secretary telegraphed in the afternoon of the 11th to the general officer in command at

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reached Chester early in the morning. Their presence restored the confidence of the people, and the Fenians, if they were Fenians, seeing that any outrage was impracticable, gradually left the town.[1]

At the time, some doubt was expressed as to the true character of this attempt. It appears so foolish to suppose that 1,200 to 1,500 unarmed men should hope to seize an important military post in a town inhabited by many thousands of loyal people, that the doubting mind naturally searches for some other explanation of the facts. But no other explanation will satisfy the critical mind. There is no doubt that the Government was forewarned that the attempt would be made; that the concourse at Chester was in accordance with the warning; and, though the evidence of informers is always open to suspicion, it ceases to be suspicious when it is justified by the event. It may possibly be the case that the Mayor of Chester, confronted with a serious difficulty, exaggerated the danger on the 11th of February; and that the men, who had entered Chester on the 11th, would have melted away on the 12th, if the Guards had not been despatched from London in the early hours of a cold winter morning. But most people will think that, in such a crisis, it was

Manchester and to the mayor, and that the earliest reply—that from the mayor—reached him between one and two of the morning of the 12th. The author has often thought this delay a striking proof of the slowness of telegraphic communication before the purchase of the telegraphs by the State. He is writing of his own knowledge, as he was his father's private secretary in 1867, and the mayor's reply was brought to him. He was instructed by his father to go at once to the rooms of the adjutant of the Guards and order their departure. See, for some references in Parliament to the incident at Chester, *Hansard*, vol. clxxxv. pp. 273, 284, 342.

[1] It is right to add, that the general officer in command of the troops—whose telegram, however, did not reach the Home Secretary till three or four hours after that of the mayor—did not take so serious a view of the inroad as the mayor. Lord Grosvenor, on the other hand, who went down at once to Chester in case the services of the yeomanry, of which he was in command, should be required, telegraphed to Lord Elcho, at 4 P.M. on the 12th, 'Was serious. Timely information saved the town.' All right now.' *Ibid.*, vol. clxxxv. p. 288.

wiser and better to do too much than too little. It is by the demonstration that force is ready, and not by the knowledge that authority is unprepared, that bloodshed in civil crises can be most successfully averted.

Outrages in Ireland.

Foiled in this attempt, and conscious that an organisation, which numbered its adherents by the hundred thousand, was likely to become ridiculous if it did nothing, the Fenians, in the spring of 1867, determined to transfer their activity to Ireland. The barracks of the police were attacked in various places; but, in every case, authority proved stronger than insurrection, and authority was aided by the exceptional severity of the weather. As a distinguished Irish writer put it: 'The snow fell that spring as it had scarcely ever fallen before in the soft, mild climate of Ireland. . . . The insurrection was literally buried in that unlooked-for snow.'[1]

The Fenians at Manchester.

Many men were arrested and tried in England for their share in the Fenian outbreak of 1867. Among others, two named Kelly and Deasy, said to be officers in the so-called Fenian army, were apprehended at Manchester in the month of September. On the 18th of that month, the prison van, in which they were being taken from the court to the prison, was attacked in open day by a gang of armed men. The officer in charge of the van, who did his duty in refusing to give up the prisoners, was either accidentally or intentionally shot by his assistants, and Kelly and Deasy were then released. Several men were arrested, and five were sentenced to death for their share in the murder of Sergeant Brett, the officer in charge of the van. One of the five was able to show that his conviction was a mistake, and, of course, received a free pardon. Three out of the other four were hanged at the end of

[1] McCarthy's *History of our own Times*, vol. iv. p. 141.

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November. Their crime, it may be admitted, was very different from that of the ordinary murderer; but their crime was one which society must sternly repress. The attempt of Orsini may have led to the union of Italy; but the attempt of Orsini was rightly punished by death.

The Fenians at Clerkenwell.

Before the people had recovered from the shiver of surprise which the outbreak had produced, another and a more serious outrage occurred in London. Some Fenians were imprisoned in the House of Detention at Clerkenwell, a name which carries us back through the centuries to the days of the Plantagenets, but which is now almost forgotten in consequence of the absorption of the place in the surrounding city. An attempt was made to release these men. A barrel of gunpowder, placed beneath the wall of the prison, was exploded, and some sixty yards of the prison wall were thrown down by the effects of the explosion. Fortunately—perhaps even for the prisoners themselves—the authorities had been forewarned; and the prison warders had removed the prisoners to another part of the prison. Unfortunately, the police outside the walls did not exercise equal vigilance, or they might probably have prevented the attempt and saved a vast amount of suffering. For, though the attempt failed, its consequences were widespread. Six innocent persons were killed on the spot, six others died from the effects of the wounds which they received, and some hundred and twenty others were more or less seriously injured. Five men and a woman were arrested on suspicion of being concerned in the crime. One of the men and the woman were discharged by the direction of the court, as there was not sufficient evidence against them. Three others were acquitted. The other man was found guilty, and the sentence upon him was duly executed.

The first result, which ensued from these deplorable

consequences, was the renewed suspension of the Habeas Corpus Act in Ireland. The suspension of the Act, which had been thought necessary in 1866, had been continued by Lord Derby's Government in 1867, and was now again repeated. Outrages, chiefly occurring in England, were succeeded by a restriction of liberty in Ireland; and yet men were found to argue that England and Ireland were subject to the same laws, and administered on the same principles.[1]

The Habeas Corpus Act suspended in Ireland.

The Act was passed with little or no debate. Men, on both sides of the House, concurred in the necessity for arming the Irish Government with exceptional powers; and except that an Irish member, Mr. Bagwell, expressed his regret that the Government had no remedial measures to propose, but was relying on coercion alone,[2] the introduction of the Bill excited no difference of opinion in the English House of Commons.

The condition of Ireland.

Yet, at the time at which this legislation was introduced, Ireland was occupying the thoughts of all right-feeling men. The salient fact that, from the outbreak of famine in 1845 to the conclusion of 1867, the population of the country had dwindled from rather more than eight millions and a quarter to rather less than five millions and a half, was alone sufficient to attract attention. For a dozen years Ireland had sent out from

[1] When the Queen's Speech was delivered on the 5th of February, 1867, her Majesty expressed a hope that it might be possible to dispense with legislation of this kind. *Hansard*, vol. clxxxv. p. 5. The events of the succeeding fortnight, and especially the attack on the police barracks at Cahirciveen (*ibid.*, pp. 330, 334), induced the Government to alter its opinion; and, on the 20th of February, Lord Naas, as Chief Secretary, introduced a measure for the suspension of the Act (*ibid.*, p. 690), which in a few days passed through both Houses of Parliament and became law (30 Vict., cap. 1). This Act, which lasted only three months, was followed by a renewed suspension of the Habeas Corpus Act in May 1867 (*Hansard*, vol. clxxxvii. pp. 897, 942, and 30 Vict., c. 25), and by the Act of 1868 referred to in the text. *Hansard*, vol. cxc. p. 775, and 31 Vict., c. 71.

[2] *Hansard*, vol. cxc. p. 785.

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her shores a vast train of emigrants, who either had settled in the busy centres of England, or had sought to improve their fortunes by recommencing life, under other conditions, in another hemisphere. And this vast procession of unfortunates was the more pitiable because the Celt, unlike the Saxon, clings to the surroundings in which he is born, and shrinks from embarking on new duties in new countries. Men of Teutonic and Scandinavian extraction seem indeed to retain the old love of adventure, which brought their ancestors to this country from the forests of Germany or from the fiords of Norway. It is natural to them to quit their parent nest, when they have learned to trust their wings, and their home thenceforward is the home of their choice, and not the home of their extraction. But it is quite otherwise with the Celt. The barren moor on which he was born, the humble cot in which his infancy was passed, have claims on him for which the comforts and opportunities of an ampler life in another hemisphere cannot compensate. Amid the plenty of a new world, the Irishman still looks with longing and regret at the hard soil from which he came.

It is possible that the cruel experience, which Ireland was undergoing, was slowly working for her benefit. Her people, so it was thought, were too thick on the soil. Their competition for a few acres of barren moorland raised the rents of Irish tenants; the presence of two labourers seeking work, which could only be found for one man, depressed the rate of Irish wages. The Irish famine was nature's remedy for the over-population of Ireland; and, as nature is only 'careful of the type' and careless of the individual, the remedy was sharp and pitiless. Thus the sufferings of the day might pave the way for the gladness of the morrow. The Irish famine in the nineteenth century was doing for the Irish cottier what the Black Death had done

for the English peasant in the fourteenth century. It was the decrease of the population, due to the Black Death, which raised the wages of free labour in England, and accelerated the conversion of serfs into freemen; and it was the decrease of population, due to the Irish famine, which reduced the demand for land in Ireland, and strengthened the position of the Irish tenant. Perhaps, indeed, it might be possible to push the parallel a little further; for, if the Black Death was followed by the peasants' rising, the Irish famine was succeeded by Fenianism and the Land League; and, if authority asserted itself in Ireland, as it had asserted itself, five centuries before, in England, in both cases the fruits of the struggle remained with those who had risen, and not with those who had put them down.

Thus, it could be argued that the Irish famine, by thinning the labour market, had alleviated Irish distress, and conduced to Irish prosperity. The people, indeed, who used this argument, were exposed to a dilemma from which it is not easy for any one to extricate himself; for, in every part of the world, except Ireland, statisticians are in the habit of inferring prosperity from an increase, and poverty from a decrease, of population; and no one has yet explained why an inference, which seems fair when applied to every other country, is inapplicable to Ireland alone.

The third Sir Robert Peel, Chief Secretary.

It so happened that the post of Chief Secretary, in the closing years of Lord Palmerston's Administration, was held by a man—the third Sir Robert Peel—who delighted in proving, from long rows of statistics, that Ireland was rapidly increasing in prosperity.[1] Ireland, under his rule, 'was not only well governed, but prosperous and improving.'[2] Irish members went

[1] See, for instance, *Hansard*, vol. clxxi. p. 844.

[2] I have borrowed this phrase from Mr. Mill's pamphlet, *England and Ireland*, London 1868, p. 5, to which I am glad to have this opportunity of drawing attention—a pamphlet which had the further merit

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on asserting that Irish distress required English intervention. Sir Robert Peel, with much of his father's ability, but little of his father's judgment, set the increase of Irish wealth against the allegations of Irish poverty. As Lord Robert Cecil[1] said in 1865, 'Every year the Irish members have come to this House, and have said, "Our constituents are starving." On the other hand, the Chief Secretary has said, "I assure you, my honourable friends, that you are entirely wrong. . . . I have been sitting in my office and studying columns of figures, and I can assure you that the Irish people, whatever their stomachs may seem to represent to them, really are not starving." '[2]

The controversy between the optimists and the pessimists—between the Irish members, who complained that the men were decaying, and the Chief Secretary, who replied that the sheep were increasing—might have endured for many years, if it had not been disturbed by Sir Robert Peel's retirement. After Lord Palmerston's death, Lord Russell did not venture on leaving in the Chief Secretaryship a man who had made himself obnoxious to every Irish member,[3] and decided on replacing him with Mr. Chichester Fortescue, an Irish landlord. Before Mr. Chichester Fortescue's appointment, however, was made, the outbreak of Fenianism had furnished a rude commentary on Sir Robert Peel's statistics. It had burst like a clap of thunder on a clear sky.

of producing Lord Dufferin's reply, *Mr. Mill's Plan for the Pacification of Ireland Examined*, London, 1868.

[1] *Hansard*, vol. clxxvii. p. 717.

[2] Lord R. Cecil, with his customary good sense, went on to say: 'I intend to assume that, when the Irish people believe the testimony of their stomachs, and disbelieve the testimony of the right honourable gentleman's figures, they are right, and he is wrong.'

[3] Sir Robert Peel had the indiscretion to say, in 1863, in reply to a remark of Mr. (afterwards Sir W.) Gregory, that the Irish who emigrated to foreign countries carried with them feelings of hatred to this country—they did no harm to the realm in carrying their disaffection elsewhere. *Hansard*, vol. clxxi. p. 845. Mr. Blake said of this phrase, 'The right honourable Baronet had made many blunders about Ireland since he came there; but that expression was the very greatest of all.' *Ibid.*, p. 1369.

Even if Sir Robert Peel was right, and Ireland was prospering, Fenianism made it plain that prosperity had not cured Irish disaffection. The people of Ireland seemed to be divided between those who wished success to the movement, and those who disapproved its methods, but sympathised with its ends. It was no longer possible to deny that they were animated by a passionate detestation of English law and of English rule. Sir Robert Peel might be the best of all possible Chief Secretaries, in the best of all possible Ministries; but the Irish, so it was evident, had no terms to make with the Government which was pondering over the statistics it was collecting in Dublin Castle.

The causes of Irish disaffection.

If the English people, in the sixties, had probed the festering sore which was at the root of Irish disaffection, they might possibly have concluded that rebellion in Ireland was of near kin to rebellion in Poland or elsewhere. For nations, like individuals, are animated by a desire to manage their own affairs for themselves, and prefer, at the bottom of their hearts, a bad government of their own choosing to a good government from outside. But, in the sixties, few Englishmen, even among the most advanced Liberals, were ready to affirm that the remedy for Irish disaffection was Irish home rule; on the contrary, they were in the habit of boasting that the Constitution which this country had gradually evolved represented the most perfect form of government which the art of man had yet devised. The Scotch and the Welsh—akin to the Irish in descent—were living comfortably and contentedly within its pale, and there seemed no reason for concluding that arrangements which had satisfied both Scotland and Wales should not be capable of adaptation to the needs of Ireland.

The people who reasoned in this way overlooked some of the fundamental causes of Irish discontent; for the British Constitution is permeated with ideas which

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happen to be opposed to Irish tradition and Irish feeling. In the first place, the State is linked with the Church; and the Church which the Constitution acknowledges is the Church of only a small minority of the Irish people; and, in the next place, the British Constitution recognises—indeed, it may almost be said to be based on—the right of private property in land; and private property in land, whatever virtue it may possess, never existed in Ireland until it was imposed on the Irish by the English conquerors.

The land system in Ireland.

'Before the Conquest,' wrote a great thinker, 'the Irish people knew nothing of absolute property in land. The land virtually belonged to the entire sept: the chief was little more than the managing member of the association. The feudal idea, which views all rights as emanating from a head landlord, came in with the Conquest, was associated with foreign dominion, and has never to this day been recognised by the moral sentiments of the people. . . . In the moral feelings of the Irish people, the right to hold the land goes, as it did in the beginning, with the right to till it. . . . It is not the right of the rent-receiver, but the right of the cultivator, with which the idea of property is connected in the Irish popular mind.'[1]

The opinions which the Irish thus held were made more emphatic by the circumstances of Ireland. That island occupies an exceptional position among the

[1] J. S. Mill, *England and Ireland*, pp. 12, 13; cf. the following passage from an excellent pamphlet, Gibbs's *English Law and Irish Tenure*, London, 1870. 'We are told by him (Sir John Davies) that the lands possessed by the Irish were divided into territories, each under a chieftain, and that the inhabitants of the territories were divided into septs, each under its chief. The "chiefry" of the chieftain of a territory, and the chief of a sept, ran in course of Tanistry; the possession of the inhabitants ran in course of Gavelkind. By the custom of Tanistry, the chiefry, with the portion of land annexed to it, went, on the death of the chief, to the oldest and worthiest of his blood and surname, who was called the Tanist. By the custom of Gavelkind, the lands of each inhabitant on his death were subject, at the will of the chief, to partition among all the males of the sept,' pp. 4, 5.

countries of the world. In no other European territory, except perhaps in Russia, are the people so dependent on the cultivation of the soil. The Irish in the sixties were almost exclusively an agricultural people. They were dependent for their existence on the little holdings which they could secure. Other industries, to which the ordinary Irish labourer could resort, there were none; a few of them, indeed, might devote themselves to gathering the harvest of the sea; a few others might find employment in the mills of Belfast. But these exceptions only proved the rule. The ordinary Irish labourer, if he remained in Ireland, was dependent, for his own sustenance and for the maintenance of his family, on the possibility of acquiring a plot of land on which he could grow some potatoes and feed a pig, or perhaps—if he were a plutocrat among peasants—a cow.

But the Irish peasant could obtain land only from an Irish landlord; and, in Ireland, a great proportion of the largest landowners were absentees, who had no knowledge either of their estates or of their tenantry, and who managed their property through a local agent, whose duty compelled him to place the interests of his employer above the interests of the peasant. Some of these landlords had acquired their property, since the famine, under the provisions of the Encumbered Estates Act, and could not be expected to cultivate the relations which a long hereditary connection so frequently establishes between a landlord and his tenantry. On the contrary, they had been encouraged to acquire their estates by official assurances that the land was under-rented. When the Government and the Legislature of the country were practically telling them that the land, which was producing 100*l.* a year, was in reality worth 150*l.*, it would have been too much to expect that they would take no steps to squeeze the additional 50*l.* out of their newly acquired property.

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In imposing on Ireland her own land laws, moreover, England had neglected to supply one remedy which she had gradually evolved for her own tenantry. In England, the courts had suffered custom to mitigate the principles which the law enforced. A custom was suffered to grow up, in many parts of the country, that the outgoing tenant should receive from the incoming tenant compensation for the value of any improvements made during his tenancy; and the courts had recognised and sanctioned this custom. But in Ireland, where the usage of the country, under which all improvements were made by the tenant, made the recognition of a similar arrangement even more necessary than in England, no such custom was judicially recognised. 'English law,' so it was well said, 'was introduced into Ireland without the element of custom. It could not carry thither the customs of England. It rejected all the customs of Ireland.'[1] Even in Ulster, where a system of tenant right was suffered to grow up, the Ulster custom, as it was called, had not, before 1870, the force of law. It existed through the consent of the people. It had not received the sanction of the courts.

Thus England, on the one hand, had imposed on Ireland her own land laws; while Irish courts had neglected, on the other hand, to mitigate the principles of the law by the recognition of the customs of Ireland. Irish landlords, moreover, had failed to establish those relations with their tenantry, which, in Great Britain, had made the powers which landlords possess not merely tolerable, but in some cases beneficial. In England the typical country gentleman lived on his estate, and was personally acquainted with his tenants and their labourers. He probably prided himself on the fact that the same families had occupied the same farms at practi-

[1] See Gibbs, *English Law and Irish Tenure*, pp. 8–14.

cally the same rents for generations; and he was ready in good times to advance the interests of his tenants by improving their buildings or their holdings, and, if bad times came, to stint his own expenditure to save them from suffering. The writer who condemns—as the present writer has not hesitated to condemn—the country gentlemen as a body for their ignorant support of bad laws, bad finance, and bad government, should have the justice to acknowledge that the country gentleman, as an individual, was actuated by a deep sense of duty, and that, as a general rule, he set an example to his neighbours and his dependents, which few persons have either the opportunity or the will to afford. But it was quite otherwise in Ireland. There the typical landlord was an absentee. He had no personal acquaintance with his tenants. He never dreamed of spending a sixpence either in improving their dwellings or on draining or fencing their land. If his tenantry executed these improvements themselves, his agent regarded their completion as a reason for exacting a higher rent. The only idea which he had himself of improving his property was 'to clear' his estate of human beings.

Instances of such conduct were unfortunately of no rare occurrence in Ireland. In the county of Clare, a great nobleman had let a large tract of property to a middleman, under whose protection (and the protection of middlemen was a rare thing in Ireland) Irish peasants had reclaimed a considerable tract of coast, and founded thereon a flourishing watering-place. The middleman died; his lease fell in; and the town reverted to the ground landlord, who at once raised the rents to the full value of the improvements, and evicted half the tenants, to the number of nearly a thousand souls. In the county of Donegal, a landlord, whose agent was murdered, evicted the whole of the inhabitants of a

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district. 'Two hundred and eighty persons, comprising forty-five families, were flung out on the road on the side of a mountain,' and their houses razed to the ground. The noble lord who committed the first of these atrocities was a man of position and standing, whose high rank and powerful connections gave him influence and authority. The country gentleman who was responsible for the second of them was a man of character, of wealth, and a magistrate. The fact that conduct such as this could be perpetrated in Ireland, and that the men who perpetrated it should have lost no caste, but have even found apologists in Parliament, is a proof of what could, and did, take place in a country in which five-sixths of the tenantry had not the security of a lease.[1] In the middle of the nineteenth century—to give one more example—an Irish bishop, who was also an English peer, purchased an estate in Galway. Holding a strong faith in his own religious views, he expressed a desire to his tenantry that they should send their children to some Protestant schools which he established on his property. This amiable nobleman subsequently affirmed that he never evicted a tenant for not complying with this desire; but there appears to be no doubt that the parents of the children who attended his schools were left on their farms, and that the tenants who did not send their children to his schools were ejected from their holdings.[2]

It is, indeed, only fair to recollect that evictions were occasionally resorted to by good landlords, for the sake of improving their property and promoting the interests of their remaining tenantry. Subdivision of

[1] *Hansard*, vol. cxc. p. 1297. The case of the noble lord, alluded to in the text, is in *Tenant Wrong Illustrated in a Nutshell; or, a History of Kilkee in Relation to Landlordism during the last Seven Years*; cf. Mill's *England and Ireland*, p. 18. The case of the magistrate is discussed in *Hansard*, vol. clxii. pp. 842–850.

[2] See the debate in *Hansard*, vol. clxv. pp. 413–436.

farms had, on many properties, been carried on to such an extent, that there was no prospect of improvement till some of the smaller holdings were consolidated. Those who have read the book, in which the agent of some great estates introduced to English readers 'The Realities of Irish Life,' will not be prepared to condemn every case of eviction. But the arrangements which good landlords made for the improvement of their estates, by inducing some of their tenants to emigrate, or migrate, to lands where there was more room for their industry, bear no relation to the cruel and wholesale evictions perpetrated on other properties. It was the abuse of power by the bad landlord, not its use by the good landlord, which history should condemn.

Irish Land Bill.

For years, before even the appointment of the Devon Commission, Parliament had recognised the existence of these evils, if it had lacked the will or the courage to deal with them. As far back as 1835, indeed, Mr. Sharman Crawford, an Irish landlord, had introduced a Bill under which he proposed that compensation should be given to the tenant for improvements made, with the landlord's consent, or in certain cases without his consent; and from 1845, when, after the report of the Devon Commission, Lord Stanley himself had introduced a Bill to give effect to some of the recommendations which the commissioners had made,[1] almost every successive Government, and almost every successive Chief Secretary, had endeavoured to grapple with the problem. Lord Lincoln, in 1846, and Sir William Somerville, in 1848 and 1850, were among the pioneers in this matter.[2] But, in 1852, Mr. Napier, who held the post of Attorney-General for Ireland in Lord Derby's first Ministry, and who had devoted considerable attention to the subject, introduced a more important

[1] *History of England*, vol. v. p. 124.

[2] See Mr. Cardwell's speech, *Hansard*, vol. clvii. p. 1553.

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measure. Mr. Napier's Bills, for his proposals were included in more than one Bill, were referred to a Select Committee, and after the fall of Lord Derby's Administration were adopted by Lord Aberdeen's Ministry. Under the auspices of this Government the Bills passed the Commons. They encountered, however, considerable opposition in the Lords, and were ultimately abandoned in that House.[1]

The measures which were thus introduced only went a very little way. They usually allowed the tenant compensation for those improvements only which he had made with his landlord's consent. But, mild and moderate as they were, they did not secure acceptance by Parliament. Most members of either House had little knowledge of the position and requirements of the Irish tenantry. They could not understand why a system, which had worked well on their own estates, was inapplicable to Ireland. At last, in 1860, Mr. Cardwell, as Chief Secretary for Ireland, succeeded in passing a measure, which introduced large alterations into the Irish land system. This Bill was based on the principle that the relation between landlord and tenant was founded on contract; that the landlord, as one of the best commentators on the Act has said, 'was to differ from the village baker, butcher, grocer, or publican, merely in the nature of the article in which he traded.'[2] In carrying out this principle, the Act gave the landlord a simple machinery for ejecting his tenant; it gave the tenant a right to any chattels affixed to the freehold at his own expense, so attached that they could be removed without substantial injury to the freehold, and which had not been erected in pursuance of

[1] For this measure, and Mr. Napier's connection with it, see the Duke of Newcastle's speech on moving its second reading in the Session of 1853, *Hansard*, vol. cxxix. p. 1500. I have only in the text alluded to the more prominent of the numerous attempts made to deal with the subject.

[2] Richey, *The Irish Land Laws*, p. 57.

any obligation or in violation of any agreement. It gave compensation for improvements made with the consent of the landlord.[1] Based upon contract, the Act swept away every trace of the old feudal relations between landlord and tenant;[2] and, perhaps, in this way strengthened the conviction, which the Encumbered Estates Act had done so much to create, that the landlord, like the merchant, was entitled to obtain the highest price which he could procure for the commodity in which he dealt. It paid no regard to the consideration that the great mass of the Irish people were dependent on agriculture, that a tenant turned out of his holding had no means of existence, and that, as he had no alternative but to accept his landlord's terms, it was a mere delusion to suppose that he was more free to enter into a contract with his landlord than the factory child with his employer. The Act, in other words, assumed that the letting or hiring of land was a commercial operation, on which landlord and tenant stood on equal terms. Whatever merits it might have possessed in a country, where the people were free to conclude their own bargains, it was specially inapplicable to a nation like Ireland, where the demand for land so greatly exceeded the supply of it that the tenantry were at an obvious disadvantage in this respect.

The Select Committee of 1865.

As a matter of fact, Mr. Cardwell's Act produced few or no results; and, in 1865, Mr. Maguire—the member for Dungarvan—who had warned Mr. Cardwell in 1860 that his measure would not be successful,[3] asked the House of Commons to appoint a committee to inquire into the state of the law. On Lord Palmerston's suggestion, the inquiry was confined to the operations of Mr. Cardwell's Act of 1860. The larger inquiry, which

[1] Richey, *The Irish Land Laws*, pp. 50, 54. Mr. Cardwell's speech in introducing the Bill will be found in *Hansard*, vol. clvii. p. 1553.

[2] Richey, *The Irish Land Laws*, p. 57.

[3] *Hansard*, vol. clvii. p. 1569.

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Mr. Maguire had advocated, involved the investigation of the whole relations between landlord and tenant; and Lord Palmerston, who had persuaded himself that 'tenant right was landlord wrong,' thought that any interference with the landlord's management of his own property would 'violate the fundamental principles of justice.'[1] The smaller inquiry, to which he was willing to assent, was not open to the same objection. The House of Commons could not be violating any principle of justice in investigating the operation of an Act which it had itself been instrumental in passing five years before.

The committee, which was thus appointed, confirmed the opinion which Mr. Maguire had expressed.[2] 'Surrounded as it was by every kind of safeguard and precaution,' Mr. Cardwell's Act 'had turned out to be practically a dead letter;' and the reconstruction of the Ministry after Lord Palmerston's death, and the substitution of Mr. Chichester Fortescue for Sir Robert Peel as Chief Secretary, enabled a fresh step to be taken in advance. Mr. Chichester Fortescue proposed, in 1866, to give the tenant, subject to certain limitations, a beneficial interest in the improvements which he had made, and, in the event of his disturbance, to compel the landlord to compensate him for their cost[3] by the payment of a lump sum down.

The principle, which Mr. Chichester Fortescue desired to import into legislation, was not accepted by the Conservative party. Lord Naas, on the motion for the second reading, asked the House to affirm the view, which inspired the Act of 1860, that compensation should be secured in respect of those improvements only which were made with the consent of the landlord. But the debate on this amendment never came to a

[1] *Hansard*, vol. clxxviii. p. 619.
[2] *Parl. Papers*, 1865, No. 402.
[3] *Hansard*, vol. clxxxiii. pp. 215–220.

conclusion. The long discussion on the Reform Bill of 1866 made it, in fact, impossible for the Commons to deal with any other large subject, and Mr. Chichester Fortescue's Bill, doomed, from its conception, to a feeble and unhealthy existence, was finally withdrawn after the change of Government.[1]

Lord Mayo's action in 1867.

The cloud of Fenianism burst while Parliament was thus dallying with, or trifling with, a great subject. Men, who had hitherto neglected the Irish question, were forced to turn their attention to it. Lord Mayo himself—for Lord Naas had now succeeded to the Irish peerage, with which his memory is chiefly identified—proposed to take the step, from which Lord Palmerston had shrunk, and refer the whole of the laws regulating the tenure of land in Ireland, the arrangements and customs existing between landlord and tenant, and the system prevailing for compensation for improvements, to a royal commission.[2] But, though this concession showed the advance which the question had made between the days of Lord Palmerston and the days of Mr. Disraeli, it was already evident that many men would not be content to shelve the matter for an indefinite period by referring it to a commission. Lord Russell, who had just announced his intention to withdraw from the leadership of his party, declared himself in favour of the measure which Mr. Chichester Fortescue had introduced with his sanction.[3] But three other men went much farther. Sir John Gray, who represented Kilkenny in Parliament, proposed to give fixity of tenure to every tenant in Ireland, commuting the landlord's rent into a rent charge on the estate; Mr. Bright, who, in the intervals of his agitation for parliamentary reform, was finding leisure to visit

[1] *Hansard*, vol. clxxxiii. p. 1053, and vol. clxxxiv. p. 1469.

[2] *Ibid.*, vol. cxc. p. 1379.

[3] See the first of Lord Russell's *Three Letters to Mr. Chichester Fortescue*, p. 31.

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Ireland, was advocating the purchase of large Irish estates by the Government, and their sale in farms to their tenants; while Mr. Mill, who wrote with the authority attaching to the first economist of his time, was developing a still larger scheme, under which the State was (i) to ascertain the sum fairly payable to every landlord, through the instrumentality of a Commission, (ii) to compulsorily acquire it at the value which was thus determined, (iii) to relet the land on this valuation in perpetuity to the existing tenantry. These schemes, whether they were wise or unwise, practicable or impracticable,[1] showed, at any rate, the advance which the question was making. Thinkers were suggesting, and politicians were discussing, a solution of it which would have been rejected as an intolerable interference with the rights of property half a dozen years before.

The Irish Church.

Irish land was not the only Irish question which was occupying attention. After years of indifference, the English people were gradually opening their eyes to the evils connected with the Church Establishment of Ireland. In 1868, an Irish member denounced it as a badge of conquest, a badge of degradation;[2] a Scotch member insisted that it 'was formed by injustice, nurtured in discontent, the fertile source of heart-burnings, a great obstacle in the way of the Protestant religion, and an obstruction in the way of good government;'[3] while an English member declared that 'the curse of barrenness is upon it. It has no leaves; it

[1] See Lord Mayo's description of these schemes in *Hansard*, vol. cxc. p. 1369. For Mr. Bright's view, see Mr. Barnett Smith's *Life*, vol. ii. p. 280 *seq.* For Mr. Mill's, the pamphlet, *England and Ireland*, 1868; cf. *Mr. Mill's Plan Examined*, by Lord Dufferin, London, 1868. Among the mass of pamphlet literature on the subject, I may perhaps also mention Mr. Baxter's *The Irish Tenant Right Question*, London, 1869. *English Law and Irish Tenure*, by F. W. Gibbs, to which I have already referred, London, 1870, is specially worth reading.

[2] *Hansard*, vol. cxc. p. 1308.

[3] Mr. (afterwards Lord) Moncreiff in *Hansard*, vol. cxci. p. 525.

bears no blossoms; it yields no fruit. Cut it down. Why cumbereth it the ground?'[1] When such things could be said, and said by members who, like two out of three of these speakers, were on the eve of rising to the very highest positions in their respective countries, it seemed tolerably plain that the time for patching the Irish Church was gone, and that the hour for abolishing it had come.

The country, as a whole, was, in fact, advancing far beyond the position which had distracted the House of Commons thirty years before, in the days of Lord Melbourne's Administration. Then the fate of Governments had hung on the question whether it was, or was not, competent for Parliament to divert funds, which were not necessary for the purposes of the Church, to some other objects. The shadow of this controversy still rested on the House of Commons. But even the House of Commons could not deny that the anomalous position of the Irish Church had been strikingly illustrated by the statistics which had been furnished in connection with the census of 1861. Then, for the first time, the people had been required to state the religious denomination to which they belonged; and it was officially shown that, out of a population of almost exactly 5,800,000, only 693,000—or one person in eight—belonged to the Established Church.[2] These statistics naturally supplied the opponents of the Church with a fresh argument:

> If, in England, for three million souls 'tis conceded,
> Two proper-sized bishops are all that is needed,
> 'Tis plain for the Irish half-million who want 'em,
> One-third of a bishop is just the right quantum.

In 1863, a Liberal member, who had the courage of his convictions, declined to remain silent any longer,

[1] Mr. Lowe, *Hansard*, vol. exci. p. 748.

[2] See, *inter alia*, *The Reformed Church of Ireland*, Right Hon. J. T. Ball, p. 259; and cf. *Essays on the Irish Church*, London, 1866, p. 239.

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under the leadership of a Minister who habitually avoided every reform for which the Liberal party cared,[1] and asked for the appointment of a select committee to consider how the revenues of the Church could best be redistributed. The resolution, which was subsequently superseded by a shorter amendment, for inquiry into the Irish Ecclesiastical Establishment, was resisted by the Government on the express ground that it would reopen issues which had 'agitated Parliament, governed parties, and disorganised Ireland' a quarter of a century before,'[2] and led to no result. But, at the close of 1864, Mr. Dillwyn's hands were strengthened by a great meeting in Dublin, at which seven bishops of the Church of Rome were present. At this meeting a Roman Catholic association was inaugurated, and a resolution was passed 'demanding the disendowment of the Established Church in Ireland as a condition without which social peace and stability, general respect for the laws, and unity of sentiment and action for national objects, can never prevail.'[3] Strengthened by the formation of the new association, and the bold language used at its inaugural meeting, Mr. Dillwyn, in 1865, returned to the charge, asking the House to affirm that the position of the Irish Church Establishment was unsatisfactory, and called for the early attention of her Majesty's Government.[4] The motion was again resisted by Ministers, who affirmed through the Home Secretary, Sir George Grey, that 'the object avowed by those who have brought forward the resolution is one which could not be attained without great mischief.' Sir George Grey added that, 'being of opinion that no practical grievance exists, and that, in attempting to redress the theoretical grievance, a great shock would

Mr. Dillwyn's motions in 1864 and 1865.

[1] *Hansard*, vol. clxx. p. 1990.
[2] *Ibid.*, vol. clxxi. p. 1583.
[3] *Essays on the Irish Church*, p. 254.
[4] *Hansard*, vol. clxxviii. p. 384.

be given to our laws and institutions, [he had] no hesitation on the part of the Government in opposing the motion.'[1]

If the debate on Mr. Dillwyn's motion in 1865 had concluded with this speech, nothing would have come of it. If it had been remembered at all, it would only have been recollected as an additional link in the long chain of evidence which proves Lord Palmerston's dislike to sanction interference with any of the institutions of his country. When Sir George Grey sat down, however, he was followed by a younger man, whose abilities were already securing him a prominent place on the Conservative front bench. Mr. Gathorne Hardy was a much more uncompromising Tory than the friends who sat on that bench on either side of him. He had a genuine faith in the opinions which he held, which must have provoked a smile from a cynic like Mr. Disraeli, or a sceptic like Lord Stanley. He was not satisfied with opposing Mr. Dillwyn's motion on the ground that it was inopportune. He regarded it as a violation of first principles, and as an attack upon endowments which, useful elsewhere, were in no case 'more useful than in that of the Irish Church.'[2] His speech stimulated a very different man, already chafing at the position in which his colleagues were placing him, to make a much more important declaration. Mr. Gladstone argued that Mr. Dillwyn's motion contained two propositions: (1) that the present position of the Irish Church Establishment is unsatisfactory; (2) that it calls for the early attention of her Majesty's Government. So far as the first and more important of these propositions was concerned, Mr. Gladstone declared that he could not refuse to admit the truth of it; but, so far as the second was concerned, he added that it would be a departure from duty on the part of the Government if

Mr. Gladstone's speech.

[1] *Hansard*, vol. clxxviii. p. 402.

[2] *Ibid.*, p. 419.

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they were to assent to the motion, unless they were prepared to grapple with the great problem on an early day.[1] Instead, therefore, of objecting to Mr. Dillwyn's motion, Mr. Gladstone expressed his concurrence with the most important portion of it, and only resisted it on the ground that the time had not come for actively dealing with the question. His speech was understood in this sense by those who followed him in the debate. 'It appears to me,' said Mr. Whiteside, speaking from the Tory side of the House, 'that his object was to lay the foundation of another scheme, a policy of another and not very distant day, when he might be able to say the time had come, and a change of feeling had been provoked out of doors that would enable him to do then what he fears to attempt to do now.'[2] 'In the speech of the Chancellor of the Exchequer,' said Mr. Grant Duff a little later, 'I see the beginning of the end of the great Irish difficulty.'[3]

In the history of great political movements, the opinions, or changes of opinion, of even eminent men are of comparatively slight importance; and it is only necessary to refer to Mr. Gladstone's speech in 1865 because, in the controversy which was about to begin, Mr. Gladstone was destined to become the foremost figure—his speech of 1865 the favourite object of attack. Mr. Gladstone, indeed, when he spoke in 1865, only gave expression to ideas which had been slowly growing in his mind. As far back as 1847, he had distinctly refused to pledge himself to stand by the Irish Church;[4] and, in 1863, he had told a friend that his supporters at Oxford should consider whether his change of thought on this subject made it desirable for him to retire from the representation of the University.[5]

[1] *Hansard*, vol. clxxviii. p. 422.
[2] *Ibid.*, p. 443.
[3] *Ibid.*, p. 449. For the meaning ascribed to Mr. Gladstone's speech by the press, see *Hansard*, vol. cxci. p. 1399.
[4] See *A Chapter of Autobiography*, p. 37.
[5] *Ibid.*, p. 40.

But, while there could be no doubt that Mr. Gladstone had slowly arrived at the conclusion that it was no longer possible for him to commit himself to the defence of an Established Church in Ireland, he failed, as most men failed, to foresee that the question of its disestablishment was likely to become urgent in the immediate future. As he himself wrote, in a letter explaining his speech, 'The question is remote, and apparently out of all bearing on the practical politics of the day.'[1]

Mr. Gladstone's position in 1865, in fact, may be easily understood by a modern Liberal who believes, on the one hand, that it is a mistake to connect a particular religion with the State, or to endow it with exclusive privileges, but who thinks, on the other hand, that it would be a still greater mistake to worry those who profess that faith, with assaults which may wound, but cannot kill. For, however sincerely such a man may think that establishments and endowments are unjust to those outside them, and doubtfully advantageous to the faith in whose interests they are nominally preserved, however keenly he may feel that protection withers and freedom revives religion as well as trade, he will hesitate to attack till he has a prospect of victory. He will reflect that it may be desirable to destroy a great historic institution, which has survived its own age, or its own uses; but that it can rarely be wise to enfeeble such an institution by attacks which cannot, from their nature, be pushed home, and which are therefore as purposeless as they are premature.

Yet the movement for disestablishment was to make rapid progress. Within a few months from the time when Mr. Gladstone had spoken, the death of Lord Palmerston had profoundly affected the condition of the defence. A few months later still, the outbreak of Fenianism, and the renewal of coercive legislation in

[1] 8th of June, 1865. *A Chapter of Autobiography*, p. 42.

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Sir John Gray's motion in 1866.

Ireland, provided fresh weapons for the assault. Accordingly, in 1866, when an Irish member, Sir John Gray, renewed the attack[1] which Mr. Dillwyn had made on the Irish Church in 1865, the Government resisted the motion on ground which almost sank under their feet as they stood on it. Mr. Chichester Fortescue, who spoke as Chief Secretary for Ireland, in a House which was now led by Mr. Gladstone himself, did not venture on repeating Sir George Grey's assurance that there was no practical grievance to remedy. On the contrary, he concluded his speech by saying, 'It has been my duty, on the part of the Government, to [oppose] the resolution; but I have not felt it my duty to take any course which would hinder the progress of this cause, or throw any obstacle in its way. I wish it well; I wish it God-speed. I hold that the day, when a just and permanent settlement of this great question shall be brought about, will be the happiest that for many years has dawned upon Ireland, and that such a settlement would, of all events, be the one that would most contribute to the social, political, yes, and the religious interests of that country.'[2] Men could have very little experience in politics if they did not understand that such language, so used, showed that the vague aspirations of 1865 were already shaping themselves into definite form.

The atmosphere of 1866, a year memorable for the final fall of the Whig Government, and the circumstances of 1867, in which the time of Parliament was occupied with the great measure of reform, which many Tories regarded as a great political revolution, were not favourable for a renewal of the assault on the Irish Church. Even in 1867, however, Lord Russell, in one House, found an opportunity for asking that a royal commission should be appointed to inquire into the

[1] *Hansard*, vol. clxxxii. p. 973. [2] *Ibid.*, p. 1022.

property and revenues of the Established Church, with a view to their more productive management and more equitable application;[1] while Sir John Gray, in the other, renewed his previous attack by asking the House to resolve itself into a committee to consider the temporalities and privileges of the Established Church in Ireland. In 1868, however, greater facilities existed for further debate. The Reform Bill of 1867 had been passed the supplemental measures for Ireland and Scotland involved no principle which had not been already settled the Liberals, moreover, were regaining the cohesion which they had lost in 1866; and the Conservatives were only partially reconciled to the fate which had at last invested Mr. Disraeli with the lead of their party Thus, when Mr. Maguire, soon after the accession of Mr. Disraeli to power, rose to draw attention to the state of Ireland,[3] it was obvious that his motion would lead to a very different discussion from the debate which had preceded it in other years.

Mr. Maguire's motion in 1868.

In fact, the debate, which was thus commenced, and which extended over four nights, was one of the most remarkable discussions which have ever taken place in the House of Commons. Almost every man, who had a special claim to a hearing, took part in it; and Mr. Mill and Mr. Bright had the opportunity of explaining, in Parliament, the schemes for dealing with the land question which they had already elaborated in other places. The Government, on its part, had logically two courses before it. It might, as one alternative, have taken its stand on the existing order of things, and have announced its intention to carry out the administration of the law with firmness; or it might, as another

[1] *Hansard*, vol. clxxxviii. p. 354. The motion was amended, and the commission was ultimately appointed to inquire into the nature and amount of the property and revenues of the Established Church. *Ibid.*, p. 421.

[2] *Ibid.*, vol. clxxxvii. p. 96.

[3] *Ibid.*, vol. cxc. p. 1288.

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alternative, have intimated an opinion that the time had come for reform, and that it intended to bring forward measures calculated to satisfy the just aspirations of the Irish. But Ministers had not the courage requisite for the first course, or the sense of justice which might have made them prefer the second; and, in lieu of either, they proposed a compromise which hardly satisfied their own supporters, and which certainly satisfied no one else.

On the two essential points of Church and Land, the Government had little to propose but inquiry. A commission was already inquiring into the revenues of the Irish Church—a commission should similarly be appointed to inquire into the relations between landlord and tenant; and the Government, in each case, proposed to wait for the reports. But this attitude was full of difficulty. Men do not inquire into facts unless they contemplate a remedy for what is wrong; and, where great principles are at stake, statesmen do not seek for remedies from commissioners, they devise them themselves. Men might honestly arrive at the conviction that the Irish Church should be left with its endowments, that it should be disendowed, or that its endowments should be divided among other Churches and itself; but it was certain that on such a point every member of the Cabinet had his own opinion, and that that opinion would not be altered by the report of any commission.

Other remedies, indeed, the Government contemplated. They were inquiring into the question of primary education; they were inquiring into the condition of Irish railways—they even hoped to be able to make a definite proposal on this subject before the close of the Session; and, in the meanwhile, they were prepared to bring forward measures affording Irish tenants compensation for their improvements, and Irish

Roman Catholics the advantages of a Roman Catholic university.[1] But the time had gone by for vague offers and vague promises of this character. They had no influence on the course of the debate. They had no influence—which was even more important—on the attitude of Mr. Gladstone. Speaking towards the close of the fourth night, he enumerated the various subjects on which legislation was necessary, and dwelt specially on the expediency of promoting some change in the higher education of the Irish people, of dealing adequately with the grievances of the Irish tenantry, and of terminating the existence of the Church in Ireland as a State Church. But, if anything was to be done, he for one was not satisfied with words alone; and, instead of merely supporting Mr. Maguire's motion, he accordingly resolved to bring forward some more definite resolution of his own. 'If we be just men,' so he added, 'we shall go forward in the name of truth and right, bearing this in mind, that when the case is proved and the hour is come, justice delayed is justice denied.'[2]

Mr. Gladstone's declaration.

To this declaration of a strong man that the hour had come, Mr. Disraeli had nothing to reply but the good-humoured complaint that a controversy, which had been going on for 700 years, should have culminated in the period of his own Ministry; and the suggestion that so grave an issue, as the destruction of an Established Church, should not be decided by a House of Commons elected under the Conservative auspices of Lord Palmerston. It was, in fact, plain to everyone that the question had passed out of the hands of the men who, like Mr. Maguire or Mr. Dillwyn, had been previously responsible for it; that a new issue of supreme importance was about to be raised by a statesman of the highest ability; that the whole system,

[1] *Hansard*, vol. cxc. pp. 1377, 1380, 1381. [2] *Ibid.*, p. 1771.

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which regulated the relations between England and Ireland, was to be assailed; and that the principles, on which those relations had been founded, were to be placed under the searchlight of criticism, and reconsidered.

Nothing, too, was more remarkable about this new policy, than the energy with which it was pressed forward. Parliament had only reassembled after the Christmas adjournment on the 13th of February: Lord Derby's retirement from the office of Prime Minister had only been announced on the 25th of that month: Mr. Disraeli had only taken his seat as the First Minister of the Crown on the 5th of March. The debate on Mr. Maguire's motion, which had commenced on the 10th, was only concluded on the 16th of March. Yet, one fortnight afterwards, the rival forces were arrayed on either side for a struggle,[1] different in character from any which had preceded it, and Mr. Gladstone rose, with all the responsibility attaching to the leadership of a great party, to advocate the dissolution of the tie which had connected, for so many centuries, Church and State in Ireland.

His motion.

But there was something even more remarkable than the energy, with which Mr. Gladstone pressed forward the new policy, which he had undertaken to promote; and this more remarkable thing was the attitude which the Conservative party assumed. In a letter to Lord Dartmouth, which was intended as a political manifesto, Mr. Disraeli rhetorically declared: 'We have heard something lately of the crisis of Ireland. In my opinion, the crisis of England is rather at hand; for the purpose is now avowed, and that by a powerful party, of destroying that sacred union between

[1] Mr. Gladstone gave formal notice of his motion on the 23rd of March. *Hansard*, vol. cxci. p. 32. The following Monday, the 30th, was fixed for the debate by arrangement. *Ibid.*, p. 34.

Church and State, which has hitherto been the chief means of our civilisation, and is the only security for our religious liberty.'[1] But never was exaggerated protest followed by feebler action; for, instead of meeting Mr. Gladstone's motion with a direct negative, the Conservative party, under Mr. Disraeli's guidance, only ventured on an amendment, which they entrusted to Lord Stanley, admitting that 'considerable modifications in the temporalities of the Church of Ireland may, after the pending inquiry, appear to be expedient,' but declaring that any proposition tending to the disestablishment or disendowment of the Church ought to be reserved for the decision of a new Parliament.[2] Verily, the Church in Ireland seemed in a desperate state when Mr. Gladstone was declaring that 'the final hour was about to sound,' nay, that it had already come—

Lord Stanley's amendment.

Venit summa dies et ineluctabile fatum—

and when Mr. Disraeli, through his henchman, Lord Stanley, was only venturing to plead that the fatal decision should be deferred till after the dissolution.

The Conservative party, as a whole, indeed, hardly relished the attitude of their leader. They had not forgiven him the 'education' to which he had subjected them the year before: and they were not prepared to accept from him the novel doctrine, that 'considerable modifications in the temporalities of the Church of Ireland' might prove necessary or expedient in the near future. Men, who had still faith in their principles, showed how they thought that Mr. Gladstone's motion should have been met, by calling upon the Clerk of the House to read the 5th article[3] of the Act of Union, and

[1] *Times*, 27th of March, 1868. *Hansard*, vol. cxci. p. 526; cf. Hitchman's *Lord Beaconsfield*, p. 416.

[2] *Hansard*, vol. cxci. p. 507.

[3] *Ibid.*, pp. 469, 470. The Queen in her coronation oath promised to maintain and preserve inviolably the settlement of the United Church of England and Ireland.

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the oath which the Queen had taken at her coronation. Lord Cranborne,[1] who, at any rate, knew his own mind, complained that Lord Stanley's 'ambiguous resolution would not have been put forward by any Ministry unless they either had no policy to bring forward, or had only a policy which they dared not avow.'[2]

The dissatisfaction, which was apparent on the Conservative benches, even penetrated the Cabinet itself. Mr. Gathorne Hardy, who held the seals of the Home Office, and who had distinguished himself as the champion of the Irish Church the year before, opened the debate on the second night with a speech which had all the old Tory fire and the old Tory ring about it. Nothing, in fact, could be more directly opposed than the utterances of Lord Stanley and the utterances of Mr. Gathorne Hardy; for, in Lord Stanley's speech, there was the candid admission that 'probably not one educated person in a hundred' would 'stand up and pretend that the Irish ecclesiastical arrangements as they exist [were] satisfactory;' while Mr. Gathorne Hardy wound up his declamation by avowing:

'As a Churchman, I cannot be indifferent to the clergy who so zealously and so effectually have performed their duties in that country. To that fact I call to witness those gentlemen, who are the most opposed to the old endowments. I cannot be a party to sever that union between Church and State under which it is the glory and the privilege of the State to uphold the light of the Reformation in Ireland.'[3]

An outsider might have been tempted to think that Mr. Gathorne Hardy had inspired the Dartmouth Letter, while Lord Stanley had drawn the official amendment. But the terms both of the amendment and of the speech

[1] Lord R. Cecil had now become, in consequence of his elder brother's death, Lord Cranborne.

[2] *Hansard*, vol. cxci. p. 538.

[3] Cf. *ibid.*, pp. 598, 599.

were swept away by the language of the Prime Minister. Rarely had a statesman risen under more inspiring conditions; and rarely had any statesman so completely failed to satisfy the expectations of his followers. Whatever opinion a man might conscientiously form of Mr. Gladstone's conduct, no one could deny that he had led the attack on the Irish Church in a manner which displayed his deep conviction, his deep reverence, his deep sense of responsibility; but no one who has read the debate will pretend that Mr. Disraeli on the same occasion even attempted to approach the moral level on which Mr. Gladstone had sustained himself. He did not even rise in debate to the plane of the Dartmouth Letter. His speech consisted of good sayings, some of which are not yet forgotten, and of exaggerated arguments, which do not deserve to be remembered. And perhaps it is not unfair to say that those parts of it, which were intended to be serious, provoked only laughter; while those parts which were intended to be amusing, were rewarded with applause. Those who laughed and those who cheered, however, equally felt that, if the Church of Ireland was to be saved, it must be saved by other help and another champion.[1]

The feeling of the House was reflected in the division list. Lord Stanley's motion was rejected by 330 votes to 270, and the main question, that the House should resolve itself into a committee, was carried by

[1] It was in this speech that Mr. Disraeli, speaking of Lord Cranborne's invective, said: 'I think it wants finish.' *Hansard*, vol. cxci. p. 900. It was in this speech, too, that he said of Mr. Lowe, 'There is nothing that he likes, and almost everything that he hates.' *Ibid.*, p. 901. On the other hand, he provoked the laughter of the House by declaring that 'High Church Ritualists and the Irish followers of the Pope have been long in secret combination, and are now in open confederacy.' *Ibid.*, p. 924. It is, however, waste of time to dwell closely on a speech of which Mr. Gladstone could say, 'It would be an unpardonable abuse of the time of the House, if I were to suppose it could be necessary to enter for one moment into a detailed analysis and confutation of a statement like that.' *Ibid.*, p. 925.

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328 votes to 272.[1] So far, it could be fairly claimed that the House had affirmed no principle which was inconsistent with the retention of office by a Conservative Government. The intervention of Easter stopped for a few weeks further discussion, and it was only on Monday, the 27th of April, that the House in committee addressed itself to the first of the resolutions which Mr. Gladstone asked it to pass: 'That it is necessary that the Established Church of Ireland should cease to exist as an establishment, due regard being had to all personal interests and to all individual rights of property.'[2] The renewed discussion did not do much to add to the knowledge of the subject. There was, indeed, an evident disposition on the Conservative side of the House to protract the debate, and speeches were in consequence tolerated from members who carried little weight at the time, and whose views may be disregarded by posterity. There was an equal inclination on the Liberal side of the House to bring the question to an issue; and consequently there was a sort of self-denying agreement on that side to refrain from unnecessary talk. In these circumstances, though the debate was protracted over three nights, it did not rise to a high level. On the last night of April, or rather in the early hours of the first morning in May, the House carried Mr. Gladstone's motion by an increased majority.[3]

The resolution in committee.

The resolution passed.

In ordinary circumstances, a Government, thus defeated on a grave question of policy, would have been necessarily compelled either to resign their offices or to dissolve Parliament. But there were obvious reasons in the early months of 1868 why a dissolution should not take place. For, while the principle of reform, and the details of the English Reform Act, had been settled

Mr. Disraeli remains in office.

[1] *Hansard*, vol. cxci. p. 945.
[2] *Ibid.*, p. 1338.
[3] By 330 votes to 265. *Ibid.*, p. 1675.

In the Session of 1867, the Bills dealing with Scotland and Ireland were still unpassed, and the recommendations of the commissioners appointed to inquire into the boundaries of the new boroughs or electoral divisions were still unconsidered. Thus, if the Government had dissolved Parliament in May 1868, it could only have appealed to the old constituency, which Parliament had already condemned, or at any rate had declared obsolete. It was plain, therefore, that Mr. Disraeli had no alternative in 1868 but to retire from office, or to postpone the appeal to the country which constitutional usage, in ordinary conditions, would have allowed him. He chose, as he was perhaps entitled to choose, the latter course;[1] but, in stating that he had submitted this advice to the Queen, he told the House that he had added that, if the Queen herself was of opinion that the question at issue could be more satisfactorily settled, or the just interests of the country more studied, by the retirement of the Ministry, Ministers were prepared to retire. In order to make the Queen's course easier, indeed, he actually tendered his resignation to Her Majesty, who, on the following day, granted her Minister a second audience, at which she refused to accept his resignation, expressing her readiness to dissolve Parliament, 'as soon as the state of public business would permit.'[2] In tendering the advice, which he thus gave to the

[1] Mr. Disraeli, in stating this decision to the House, claimed 'the constitutional right of a Minister, upon taking office, to advise the Crown to dissolve a Parliament elected under the influence of his political opponents:' and even stated that Lord Derby had been placed, not intentionally, but inevitably, in a position of some unfairness from 'having waived that right.' *Hansard*, vol. cxci. p. 1696. The true constitutional principle, I believe, is that a Minister, who finds himself in a minority, is entitled to advise the Crown to dissolve Parliament, if he has a reasonable expectation of obtaining a favourable verdict from the country; cf. Todd's *Parliamentary Government*, original edition, vol. ii. pp. 507, 508, and Mr. Gladstone's remark in *Hansard*, vol. cxci. p. 1712.

[2] *Ibid.*, vol. cxci. p. 1705.

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Queen, Mr. Disraeli acted on strictly constitutional principles. If he erred, he erred in disclosing to Parliament the fact that the decision had been with the Queen and not with the Ministers; for it is the duty of the Minister to shield the Sovereign from discussion, and this can only be done when every act of the Sovereign proceeds, or is assumed to proceed, from the advice of a responsible Minister. The inconvenience of introducing the Queen's decision into debate might, however, have escaped notice if the Duke of Richmond in the House of Lords had not given another version of the story, and declared that the Prime Minister had resigned on the Friday, but that her Majesty on Saturday had refused to accept the resignation. According to the Duke, her Majesty had added that she would make no objection to a dissolution of Parliament; that it would of course depend upon the state of affairs whether that dissolution would be a dissolution under the existing constituency or under the new constituency to be formed under the Reform Act; but that 'her Majesty was graciously pleased to declare that she would make no objection to either course.'[1]

The Duke of Richmond's speech.

The Duke of Richmond's version of what had thus occurred naturally provoked serious criticism. It was one thing to ask Parliament to tolerate a Ministry in a minority till it had perfected the measures, which might enable it to appeal to the new and enlarged electorate; but it was quite another thing to ask Parliament to go on, if its proceedings might suddenly be interrupted by an appeal to the old constituency. Mr. Disraeli was naturally forced to re-explain the

[1] *Hansard*, vol. cxci. p. 1690. It is fair to add, that Lord Malmesbury had previously stated the decision of the Government in language consistent with Mr. Disraeli's, *ibid.* p. 1686. Mr. Disraeli did not consult his colleagues before he went to the Queen. His omission to do so very nearly provoked a schism in a Cabinet which was far from unanimous in admiration of its chief. Cf. *Memoirs of an Ex-Minister*, p. 639.

whole matter: to promise to relinquish 'any attempt at legislation;' to confine himself to passing the Boundary Bill, and the two Reform Bills for Scotland and Ireland; and to say that, in this way, he hoped that it might be possible to have a dissolution in November.[1]

The Scotch and Irish Reform Bills.

In the result the promise was fairly fulfilled. The contentious measures in the control of the Government were abandoned, and the Ministry pressed forward no measures of importance, which did not practically command the assent of all parties. They made it their first duty, in other words, to carry the supplementary measures of reform, which would facilitate the earliest possible appeal to the new constituencies. So far as the Government was concerned, the passing of these measures redeemed the promises which they had made, and prepared the way for the autumn dissolution which they professed to desire. If Mr. Disraeli had exercised any real authority, Parliament would undoubtedly have been relieved from the consideration of any other serious proposal; but, though the Conservatives still sat on the Speaker's right, though their new chief still occupied the first place on the front bench, and posed as the leader of the House, the real command had passed to Mr. Gladstone. He it was who had shaped the great measure of 1867, till its authors could hardly identify it with their own child; he it was who had raised the new issue of justice to Ireland, which was already assuming the first place in controversial politics; and he it was whose impassioned eloquence and obvious earnestness were creating an enthusiasm which his rival's sphinx-like utterances and cynical indifference could neither check nor chill.

Thus it happened that, while Mr. Disraeli still sat on the Speaker's right, Mr. Gladstone on the Speaker's left practically gave the lead to the House, and regulated

[1] *Hansard*, vol. cxci. p. 1742.

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its procedure. And Mr. Gladstone was not satisfied with the victory which he had secured in the early hours of the first day of May. True, the House had then sounded the knell of the Irish Church; but abstract resolutions have no immediate influence, and the adoption of an abstract resolution would not affect the status of a single Irish incumbent, or prevent the appointment of a single Irish dignitary. Mr. Gladstone therefore proposed to follow up his first resolution (i) by declaring that it was expedient to prevent the creation of new personal interests in the Church by the exercise of any public patronage, and (ii) by asking her Majesty, with a view to enabling Parliament to provide by legislation accordingly, to place her interest in the Irish Church at the disposal of the Legislature.

The Bill for suspending the exercise of ecclesiastical patronage

These resolutions Mr. Gladstone brought forward on the 7th of May;[1] and the Government, though expressly dissenting from them, did not attempt to resist them. It did not even venture to advise the House to refuse the prayer of the Address; and, on the 12th of May, the House of Commons was assured that, relying on the wisdom of her Parliament, the Queen desired that her interest in the temporalities of the Church might not stand in the way of the consideration by Parliament of any measure relating thereto.[2]

The consent, which Mr. Disraeli had been compelled to advise the Queen to accord, imposed some restraint on the action of her Ministers. They could hardly have contested, stage by stage, a measure which they had not ventured to recommend the Queen to refuse. But any natural hesitation, which Ministers may have felt, was not shared by their supporters. They boldly announced their intention to oppose the measure at every stage, and, in the first instance, they availed themselves of every expedient, which either a use or an

[1] *Hansard*, vol. cxci. p. 1886. [2] *Ibid.*, vol. cxcii. p. 114.

abuse of the rules of the House afforded them, to give effect to their purpose.[1] Reflection, however, convinced them that they had a better weapon to rely upon than their own ineffectual opposition in the House of Commons. The measure was accordingly permitted to make steady progress. The second reading was carried, after a single night's debate, by a large majority;[2] and, on the 16th of June, the Bill reached its final stage, and was sent to the Lords, an unofficial member, who had been distinguished for his opposition to it, declaring that, 'as it was going to its last resting place, he should not give the House the trouble of dividing upon it.'[3]

thrown out in the Lords.

The anticipations of this staunch Protestant were justified by the event. The Lords paid the Bill, or its author, the unusual compliment of a three nights' debate; but they rejected it by a majority which was so large[4] that it would have been decisive if a vote of the Lords had been capable of deciding anything. Yet there is little doubt that the Lords, by precedent and by usage, were entitled, if they chose to do so, to reject the Bill. It was the unanimous conviction, on both sides of the Legislature, that the fate of the Irish Church could not be sealed by a Parliament which had already signed its own death warrant, and there was ample justification for the Lords refusing to pass a measure which had no meaning if it were not followed by disendowment.

[1] The original motion for leave to introduce the Bill had to be abandoned on the technical objection that it was made after 5.45 P.M. on a Wednesday. *Hansard*, vol. cxcii. p. 233. The motion that the Bill be read a first time was met by a motion that 'it be read by the Clerk at the Table,' a practice which, so the Speaker said, had not been followed for many years (*ibid.*, p. 322). In the evening on which the motion was made Col. Knox, who sat for Dungannon, attributed to Mr. Gladstone the statement that the Irish Church 'could not be destroyed except by the vote of a recreant Senate and an apostate nation' (*ibid.*, p. 315); words which had been used, only two years before, by Mr. Whiteside, the Attorney-General for Ireland in Lord Derby's Administration. *Ibid.*, p. 321; cf. *ibid.*, p. 341.

[2] By 312 votes to 258. *Ibid.*, p. 809.

[3] *Ibid.*, p. 1697.

[4] By 192 votes to 97. *Ibid.*, vol. cxciii. p. 298.

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That the Lords were within their rights in 1868 appears, therefore, certain. Whether they were wise in exercising their rights is another matter; for, by their action, the Lords, on the eve of a general election, thought fit to separate themselves in a marked way from the Commons. They added another question to the questions which were already before the country. The issue so far had been, Mr. Gladstone and the disestablishment, Mr. Disraeli and the maintenance, of the Irish Church; but thenceforward there was added to that issue the further question, whether Lords or Commons should prevail.

Church rates.

If Mr. Gladstone, through the action of the Lords, sustained a temporary check in the crusade on which he had entered, he achieved a striking success on another subject. For years, the question of Church rates had occupied the attention of Parliament. Nonconformists naturally complained that they should be forced to contribute out of their own resources to the maintenance of the fabric of a parish church belonging to an establishment rich in its endowments and powerful in its alliances. Churchmen, on the contrary, replied that the rate had originally been granted by the people; that it was still voted by the parishioners; and that the whole principle of taxation would be destroyed if a tax were to be repealed because a certain section of the population did not approve the purposes to which its proceeds were devoted. The efforts which had been made, under Lord Grey and Lord Melbourne, to solve the dispute in some manner satisfactory both to the Church and to Dissent, had failed, and the contest had been removed from Parliament to the parish. In Manchester the Dissenters succeeded in defeating a proposal to raise a rate; and the churchwardens acquiesced in the decision of the vestry. In the small parish of Braintree, in Essex, on the contrary, the

wardens endeavoured to collect a rate which the majority of the vestry had refused to impose. This decision led to litigation, which was protracted over many years, and which was finally carried to the House of Lords. At last that House decided that 'a rate which the vestry had refused, and a small minority had assumed to levy,' was invalid.[1] This decision naturally encouraged the Nonconformists to persevere; and, in the next few years, Church rates were refused in 1,525 parishes. The whole basis of the question was radically and fundamentally affected when Church rates were thus refused wholesale.

Various remedies had been suggested from time to time for the difficulty which had long since arisen, and which the decision of the Lords had emphasised. Lord Grey's Ministry had proposed to throw the cost of maintaining the fabric of the Church on the land tax. Lord Melbourne's Ministry had desired to find sufficient funds for the purpose by the improved administration of the revenues of the Church itself. Neither remedy had found favour with Parliament; and the Commons had shown themselves equally opposed to a proposal for continuing the rate, but exempting Nonconformists from contributing to it.[2] The failure of these compromises naturally suggested that the rate should be swept away altogether; and, in 1841, Sir John Easthope formally introduced a Bill with this object. It was rejected without a division; and similar measures, introduced in subsequent years, met with no success. At last, in 1858, Sir John Trelawny, who sat for Tavistock, actually succeeded in carrying a measure of abolition through the House of Commons.[3] The Bill was, indeed, thrown out, at the instigation of a

[1] *History of England*, vol. v. p. 266; May's *Const. Hist.*, vol. iii. p. 206.

[2] *Ibid.*, p. 207; and cf. *Hansard*, vol. cli. p. 800, where there is a good account of the abortive legislation on the subject.

[3] *Ibid.*, vol. cl. p. 1727.

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Conservative Prime Minister, by the Lords.[1] But it was obvious that the question had entered on a fresh phase. A Conservative Government, with a majority of the House of Commons opposed to it, could no more undertake to withstand the claims of Nonconforming England than it proved capable at the same time of resisting the claims of the Jews. Mr. Disraeli accordingly undertook to introduce a measure, early in 1859, 'in the hope and belief that it would be accepted as a satisfactory solution of a long controverted subject;'[2] and, in accordance with this pledge, the Home Secretary, in the following February, brought in a Bill enabling the owners of land, notwithstanding the laws of mortmain, 'to charge their lands with the amount of Church rates which those lands had paid within a period specified in the Bill.' When the sum thus raised, supplemented by benefactions and subscriptions, was equal to the amount of the rate last levied, the rate itself was to cease. In the interval, any ratepayer who signed a declaration that he conscientiously objected to the rate, was to be relieved from its payment.[3]

The compromise which was thus suggested would not, perhaps, have been accepted in any case. Its acceptance became unlikely when its author retired from the Government. The Bill was rejected, on Sir John Trelawny's motion, by a large majority,[4] and the House remained face to face with a troublesome question, on which one more compromise had been proposed and had proved unacceptable.

Their history from 1859 to 1868.

In the succeeding years, however, the atmosphere, which Lord Palmerston's temperament did so much to influence, proved more favourable for compromise. Radical measures were everywhere unfashionable. Sir

[1] *Hansard*, vol. cli. p. 855.
[2] *Ibid.*, p. 1197.
[3] *Ibid.*, vol. clii. pp. 621, 625.
[4] By 254 votes to 171. *Ibid.*, p. 1598.

John Trelawny's Bill, which in the Session of 1858 had been passed by a majority of 63, in the Session of 1860 was sent to the Lords by a majority of only 9.[1] In 1861, it was actually defeated by the casting vote of the Speaker;[2] in 1862, it was again defeated by a majority of 17;[3] in 1863, by a majority of 10.[4]

The Act of 1868.

These significant divisions again pointed to the necessity for compromise; and, in 1868, Mr. Gladstone[5] himself supported a suggestion, which had been rejected in the preceding year, for settling the question by declaring that thenceforward no suit should be instituted to enforce the payment of Church rates. This provision, which was contained in the first clause of the Bill, effectually removed any objections which Nonconformists might conscientiously entertain to the existence of the rate; and it enabled Mr. Gladstone to conciliate the Church by maintaining the machinery of the rate for the repair of the fabric. In the great majority of cases, therefore, a compulsory rate, which, if it were once duly levied, no one could legally refuse to pay, was replaced by a voluntary rate, to which no one was compelled to contribute. In a few cases, where the proceeds of the rate had been assigned as security for a loan, the rate was necessarily preserved for the discharge of the debt. The last compulsory Church rate raised in England was levied in the parish of St. Marylebone, under the authority of two local Acts, as late as 1899;[6]

[1] By 235 votes to 226. *Hansard*, vol. clviii. p. 301.

[2] The House divided, 274 to 274. *Ibid.*, vol. clxiii. p. 1322.

[3] This Bill in 1866 was met by an amendment of Mr. Sotheron Estcourt, that it was unjust to abolish Church Rates until some other provision had been made by Parliament enabling churchwardens to discharge the obligations for which they were liable. This amendment was carried after two divisions, in which Mr. Estcourt secured 287 votes to 286, and 288 votes to 271. *Ibid.*, vol. clxvi. pp. 1727, 1731.

[4] 285 votes to 275. *Ibid.*, vol. clxx. p. 974.

[5] Mr. Gladstone voted for the abolition of Church rates, for the first time, in 1866. Morley's *Life of Gladstone*, vol. ii. p. 161.

[6] See Annual Local Taxation Returns, 1898–99. *Parl. Papers*, 1901, pp. 50, 53.

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but, in the great majority of cases, compulsory Church rates ceased after the passing of the Act of 1868. Nonconformist England owed this relief to Mr. Gladstone's exertions.

The passing of this great measure, after a controversy which had been protracted over nearly forty years, enforced the lesson, which the enfranchisement of the Jews had taught in 1858, that the Government, which chooses to attempt to govern without a majority of the Commons at its back, must be content to purchase office by surrendering the principles which it has advocated in opposition. It proved to the country, moreover, that in some instances it had more to hope for from a weak Conservative Government than it could expect to obtain from a strong Liberal Ministry; for the Conservatives were able to control, while the Liberals were powerless to manage, the views of the House of Lords; and a Conservative Prime Minister could consequently obtain, from the Upper House of Parliament, an assent to Liberal legislation, which no Liberal Prime Minister could command.

The Bill for the abolition of Compulsory Church Rates received the royal assent on the 31st of July.[1] On that day Parliament was prorogued, and the Queen announced her intention 'to dissolve the present Parliament at the earliest day [that would enable her] people to reap the benefit of the extended system of representation which the wisdom of Parliament has provided for them.'

Parliament is dissolved.

'I look with entire confidence,' so the Queen was advised to add,[2] 'to their proving themselves worthy of the high privilege with which they have been thus invested; and I trust that . . . the expression of their opinion on those great questions of public policy which

[1] The Act is the 31 & 32 Vict. caput cix.

[2] *Hansard*, vol. cxciii. pp. 1959, 1960.

have occupied the attention of Parliament and remain undecided, may tend to maintain unimpaired that civil and religious freedom which has been secured to all my subjects by the institutions and settlement of my realm.'

The public execution of criminals.

The Queen, in her Speech, enumerated some of the measures which had been passed in the Session, but she omitted to make any reference to one Act, which perhaps illustrated a change of opinion, or at any rate a change of manners, more clearly than the Reform Act itself. Humane men had long deplored, wise men had long denounced, the horrible scenes which were constantly witnessed at the public execution of criminals. 'On these occasions,' to quote the language of a newspaper in 1864, 'Vice and Crime held their saturnalia, while Folly looked on from dear-bought seats in adjacent windows.' In 1862, when two men were hanged near Liverpool, excursion trains carried large numbers of people to the spot where the sentence was executed; and, in 1864, no fewer than five men, foreign seamen, were hanged together outside Newgate for piracy and murder, in the presence of thousands, or rather tens of thousands, of degraded people.[1] While a shiver of horror ran through the better classes at the descriptions, published in the papers, of this dreadful scene, Mr. Hibbert, a man who was then young, and who had recently been returned for Oldham, proposed in the House of Commons that executions should in future be privately conducted.[2] The proposal was resisted, as many reforms had been resisted before, by official England, which found a spokesman in Sir George Grey, the Home Secretary, on the ground that the scenes, horrible as they were, had possibly a salutary effect on the

[1] *Hansard*, vol. clxxiii. pp. 941, 955.

[2] Mr. Hibbert's motion was for papers; but his speech indicated that his object was to substitute private for public hangings.

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degraded persons who witnessed them, and that privacy, at any rate, would be distinctly abhorrent to public feeling.[1]

In the same Session, in which Mr. Hibbert introduced the proposal, Mr. Ewart, the member for Dumfries, revived a suggestion, with which his name had, in previous years, been associated, that the death penalty should be altogether abolished. In words, he only ventured on asking for the appointment of a select committee to inquire into the expediency of maintaining the punishment. In the course of a desultory debate, other members suggested that the inquiry should be enlarged, and that it should be conducted by a royal commission. Sir George Grey, speaking as Home Secretary, accepted this amendment; and the House ultimately adopted an address praying for the appointment of a royal commission to inquire into the provisions and operation of the laws under which the punishment of death is now inflicted in the United Kingdom, and the manner in which it is inflicted.[2]

The commission which was thus appointed, and which made a very careful inquiry into the practice of other countries, ultimately recommended that murders should be divided into two classes: first, those which were deliberate, or which were perpetrated for the purpose of escape from the consequences of crime, and which the commissioners recommended should continue to be punishable by death; and, second, those which were unpremeditated, or which, like ordinary cases of infanticide, were, in public opinion, undeserving of the death penalty; these crimes the commissioners recommended should be punished with penal servitude. But the commission went on to recommend that the punishment of death, in future, should be inflicted inside, and

[1] *Hansard*, vol. clxxiii. p. 946.
[2] *Ibid.*, vol. clxxiv. pp. 2055, 2070, 2082, 2115.

not outside, the prison walls.[1] A Bill to give effect to the recommendations of the commissioners was introduced, in 1866, by Lord Cranworth,[2] who had succeeded Lord Westbury in the Chancellorship. The clause which divided murder into two degrees was struck out of the Bill in committee;[3] and the Bill, which would, perhaps, in no case have survived this cardinal alteration, practically fell with the fall of the Whig Administration.[4] The atmosphere of 1867, overcharged with the heated discussions on reform, proved equally unsuited for a measure of this kind; and it was only in 1868 that Mr. Gathorne Hardy, who had himself served on the commission of 1864, succeeded in carrying a measure substituting private for public executions of the law.[5]

The measure did not become law till June 1868. In the previous month, the Fenian who had been convicted of the crime of blowing up the wall of Clerkenwell prison had been hanged outside the walls of Newgate; and thus it happened that the last man, who was publicly hanged in England, was the wretch who, from a mistaken idea of patriotism, had been guilty of an act which caused death and suffering to many innocent persons. It is, perhaps, more interesting to observe that the passing of the Act was, at first, followed by a sensible diminution in the number of capital penalties. From 1838 to 1862, according to Sir E. Ducane, there were 1,395 sentences, and 261 executions—an average of very nearly 11 executions in each year.[6] In 1868,

[1] The report of the commission will be found in *Parl. Papers*, 1866, vol. xxi. Four of the commissioners, Mr. S. Lushington, Mr. Bright, Mr. Neate, and Mr. Ewart, recommended the abolition of capital punishment.

[2] *Hansard*, vol. clxxxiii. p. 232.

[3] The Peers divided: contents 38, non-contents 38, and 'the number being equal, it was (according to ancient rule) resolved in the negative.' *Ibid.*, vol. clxxxiii. p. 1549.

[4] The new Government allowed it to be read a first time in the Commons, in order that it might be reprinted. *Ibid.*, vol. clxxxiv. p. 1163.

[5] *Ibid.*, vol. cxc. p. 1127, and 31 Vict., c. 24.

[6] *Punishment and Prevention of Crime*, p. 20.

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the year in which the law was altered, 14 persons were hanged in England; in 1869, 13; in 1870, 8; in 1871, only 3. A reaction set in about that time, and in the next five years 100 persons—or, on an average, 20 a year—were hanged in England.

It is more interesting to note that the Act of 1868 marked another, and perhaps a final, stage in a chain of legislation which stretches over eighty-five years. In 1783, the hideous processions which conducted the condemned man from Newgate to Tyburn, and which, according to Dr. Johnson, gratified the public and supported the criminal,[1] were swept away. In 1840, the equally hideous ceremony of the condemned sermon, which ladies of position and fashion were not ashamed to attend, was seen in Newgate for the last time; and, in 1868, the last public hanging took place in London. It is, perhaps, unfair to say that the English people are kinder or more humane than they were in 1868—a good deal might possibly be urged in support of a contrary conclusion—but it is certain that public opinion to-day would not tolerate the scenes of vice and crime which disgraced the metropolis on the occasions of public executions of the law before 1868.

The general election of 1868.

The Act which terminated these scenes of disorder found no mention in the Royal Message which closed the Session of 1868; and a matter to which the present writer has thought it right to devote three or four pages, as a striking feature in the history of manners, hardly occupied anyone's attention for as many minutes. In fact, the public mind was concentrated on the approaching dissolution of a Parliament, which, in its short life, had accomplished the greatest work of organic reform attempted since the Reform Act of 1832, but which had neither won the confidence of the country, nor entrusted its unreserved allegiance to any statesman—

[1] See *History of England*, vol. i. p. 170, *note*.

a Parliament of which it was afterwards said that it 'had no faith in any principle, no enthusiasm in any cause, and no fidelity to any leader.'[1] The efforts of politicians were simultaneously absorbed by the preparations which were making for the coming electoral struggle—a struggle which was invested with the interest attaching to fresh combatants, fresh issues, and fresh leaders, and which was rapidly becoming a duel between Mr. Disraeli and Mr. Gladstone—between the man who had risen to the first place in the nation's councils by the sheer force of his ability, but who had not yet won the confidence either of his colleagues or of his supporters, and the statesman whose enthusiasm was communicating itself to the nation, and compelling adherence to his opinions.

Mr. Gladstone threw himself into the contest with characteristic vigour. The great constituency—South Lancashire—which he had represented since 1865, had been divided by the Reform Act of 1867, and Mr. Gladstone elected to contest the south-western division of the county. 'He spoke in rapid succession at St. Helen's, Warrington, Liverpool, Newton Bridge, Wigan, and Ormskirk, dilating with all his fiery eloquence on the monstrous foolishness of a religious establishment which ministered only to a handful of the people.'[2] Mr. Disraeli did not display the same activity. A somewhat severe critic said that he was seeking everywhere for support. 'He is all things to all men, and nothing to any one. He cannot make up his mind whether to be evangelical, neologic, or ritualistic.'[3] At any rate, he relied on the deep feeling which the people throughout the country entertained for the Church. He could not bring himself to believe that Nonconformist

[1] The Duke of Argyll, *Hansard*, vol. cxcvii. p. 201.

[2] Russell's *Gladstone*, in Queen's Prime Ministers Series, p. 203.

[3] Lord Shaftesbury's Diary, in his *Life*, vol. iii. p. 237.

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England would join with Roman Catholic Ireland in an assault on even a branch of the Established Church.

These sentiments inspired some of the most remarkable passages of the address which he issued to his own constituents early in October. In it there was no defence of the Church as a Church; but there was a repetition of the arguments of the Dartmouth Letter, and there was also much to arouse the latent feeling of Protestant antagonism to Rome. 'The leader of the Opposition [had] seized the occasion of an expiring Parliament, which had proclaimed its inadequate representation of the country, to recommend a change of the fundamental laws of the realm, and to propose a dissolution of the union between Church and State. Her Majesty's Government [have] offered, and will offer, to this policy an uncompromising resistance. The connection of religion with the exercise of political authority is one of the main safeguards of the civilisation of man. . . . Even in Great Britain the spoliation of the Church of Ireland would not be without its effect. Confiscation is contagious; and when once a community has been seduced into plunder, its predatory acts have seldom been single. . . . The ultimate triumph, were our Church to fall, would be to that power with whose tradition, learning, discipline, and organisation our Church alone has hitherto been able to cope, and that, too, only when supported by a determined and devoted people.'[1]

These phrases fell flat on the country, or, if they produced any effect, stimulated laughter, instead of exciting alarm. The new electors, entering for the first time into an enjoyment of the franchise, were not drawn from a class which could be expected to take

[1] *Times*, 3rd of October, 1868; Hitchman's *Life of Lord Beaconsfield*, p. 429.

any interest in the maintenance of establishments and the protection of property, or even to appreciate the force of alliterative epigrams. With these, Mr. Gladstone's personality and enthusiasm were much more moving forces than Mr. Disraeli's phrases and sphinx-like attitude. If they examined the matter more closely, they possibly reflected that, while Mr. Disraeli was boasting of uncompromising resistance in his address, he had only ventured on the feeblest of defences in the House of Commons.

Thus it happened that, throughout the length and breadth of England, the new boroughs, as a rule, returned members pledged to the support of Mr. Gladstone and his policy; while in all Scotland only seven, in all Ireland only thirty-seven, members were chosen from the candidates who threw in their lot with Mr. Disraeli. The crushing disaster which the Conservatives thus sustained was partly redeemed by the attitude of the county constituencies. The county electors, drawn from a higher class, did not share the enthusiasm, and perhaps were a little alarmed at the attitude, of the householders in boroughs; but, county electors notwithstanding, the result of the election left no doubt upon the opinion of the country. The Liberals had a clear majority of 112,[1] which subsequent elections increased to some 120 votes.

The victory of the Liberals.

It was not, however, the size of the majority that formed its most remarkable feature. The Parliament of 1865 had also contained a Liberal majority apparently adequate for every occasion, and the Parliament of 1865 had witnessed the defeat of Lord Russell and Mr. Gladstone, and the accession to office of Lord Derby and Mr. Disraeli. What impressed men was, the alteration in the character of the Chamber elected by a reformed constituency. It was felt that the truce,

[1] Morley's *Life of Gladstone*, vol. ii. p. 251.

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which had been established under Lord Palmerston, had passed away with the Parliament elected under his auspices. It was recognised that the Liberals had been chosen to carry out a policy, and that no conferences in tea rooms, or withdrawals into caves of Adullam, would interfere with the programme. Many Liberals, who had sat in the Parliament of 1865, preferred, like Lord Palmerston, to bear the ills they had, than fly to 'others that they knew not of.' Almost every Liberal who sat in the Parliament of 1868 was determined to support Mr. Gladstone in doing justice to Ireland, and in promoting a policy of peace abroad and economy at home.

Yet there were some striking features in the election which made men hesitate to acknowledge that the knell of Conservatism had been sounded. Mr. Bernal Osborne, who had enlivened the old House by his humour, lost his seat at Nottingham; Mr. J. S. Mill, who had instructed it with his knowledge, lost his seat at Westminster; Mr. Milner Gibson, the chief representative of free trade, was defeated at Ashton-under-Lyne; Mr. Miall, one of the leaders of the Nonconformists, was beaten at Bradford. 'Superiority' in Mr. Horsman, eloquence in Mr. Roebuck, precocity in Lord Amberley, all failed to attract. But the most remarkable feature in the election was the contrast between the attitude of Lancashire and the attitude of the rest of England. All the eight seats, which had been assigned to the four divisions of the great manufacturing county, were won by Conservatives. Neither local influence nor public services saved Lord Hartington from defeat in the north of the county. Mr. Gladstone's eloquence and enthusiasm, which were spreading victory for his friends throughout the length and breadth of England, could not insure his own return in the south of the county. The great Liberal leader was compelled to enter

Parliament for the newly formed metropolitan borough of Greenwich, which, unsolicited and unrewarded, did itself the honour of choosing him as its member.

The attitude of Lancashire gave the Conservatives some consolation in the hour of their defeat. One of them, indeed, recollected or invented the aphorism: What Lancashire thinks to-day, England will think to-morrow. But the attitude of Lancashire could not affect the immediate result. The defeat was too complete, and too crushing, to be either explained away or ignored. Precedent, indeed, suggested, that the old Ministry should meet the new House, and formally receive a declaration from its hands that it did not enjoy the confidence which was required for its sustenance. But Mr. Disraeli—who was, at any rate, original—saw that submission to such an ordeal could do his own cause no good, and would infinitely delay the business of the country. With much dignity, therefore, he decided to bow, at once, to a decision whose meaning could not be mistaken, and to place his resignation in the Queen's hands. His course in doing so was, in one sense, unconstitutional, for anything is unconstitutional which is not customary; but, in another sense, it illustrated the truth that the constitution of this country is contained in no rigid document, but is based on precedent, and modified by convenience. The course that Mr. Disraeli took was justified by convenience; and it required, in consequence, no apology.

Mr. Disraeli resigns.

Yet the action of Mr. Disraeli, in resigning office without meeting Parliament, however justifiable it may have been, is a mark in the constitutional history of the country. It is the first open recognition in history that the House of Commons itself was of less importance than the electors who formed it, and that a Minister might, and could, defer to public opinion without waiting for its formal expression by a vote in the Lower

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House of Parliament. The House itself was becoming less and less that assembly of wise men who met in earlier times to confer on affairs, and more and more the delegates of the people who sent them to Westminster. The growth of democracy was increasing the power of the electors, and diminishing the independence of the representatives; and the first election in which all borough householders were entitled to take part was the first election whose decision, without any parliamentary confirmation, decided the fate of a Ministry.

For Mr. Disraeli there had been no enthusiasm in the hour of the contest. For Mr. Disraeli there was no pity in the hour of his fall. However much the country may have admired his dexterity, few people in 1868 had any faith either in his opinions or in his policy. He was regarded as an adventurer, who had made a bold stroke and had achieved a surprising success, but who had been defeated—rightly defeated—by a man of maturer convictions, and of truer, if less refined, steel. Many good people in 1868 deplored Mr. Gladstone's policy in attacking a Church, but no one doubted the honesty of his purpose and the sincerity of his convictions. Many honest persons thought it their duty to follow Mr. Disraeli at the same time, but few among them believed him to be honest in his convictions, or sincere in his expression of them.

It must, however, be conceded that, if Mr. Disraeli deserved to fall in 1868, there was dignity in the manner in which he fell. He accepted the hostile verdict of the country with a calm demeanour which would have been worthy of a beaten gladiator in the days of Rome. He sought no distinction for himself, but claimed a peerage for the lady who had been the partner of his life, 'the perfect wife' to whom he had dedicated his best novel. The harshest critic of Mr. Disraeli's political conduct feels softened when he contem-

plates the relations between Mr. and Mrs. Disraeli; and it was only consistent with all that is best in Mr. Disraeli's character that, on leaving office, he should have claimed a peerage for the devoted lady to whom he owed so much, and who, he never forgot, even in moments of sore trial, had claims on his gratitude.

## CHAPTER XII.

### TWO YEARS OF LIBERAL LEGISLATION.

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1869.

The consequences of the Reform Act of 1867.

THERE is at once a parallel and a contrast between the events which followed the passing of the Reform Act of 1832, and those which ensued from the passing of the Reform Act of 1867. In both cases, the newly enfranchised electors succeeded in imbuing their representatives in Parliament with some of their own determination. In both, the legislation, which was immediately introduced and rapidly passed, was large in its application and novel in its principles; and, in both, —within a comparatively short time—enthusiasm was succeeded by torpor; and legislation, which was almost Radical in its character, paved the way for a period of Conservative calm.

On the other hand, there is a striking contrast between the first results of the two Acts. The Reform Act of 1832 gave new power to the Ministry which had played so great a part in carrying it. The Reform Act of 1867 swept away the Government, which had framed the first draft of the measure which Mr. Gladstone had remodelled. The one Act confirmed the official life of the men who were drawn from the classes immemorially associated with the Government; the other placed in power men of quite another stamp, and reared among quite other traditions. For, though the Cabinet which Mr. Gladstone formed in the closing weeks of 1868, comprised men, who, like Lord Granville, Lord De Grey, Lord Kimberley, Lord Clarendon, the Duke of

Mr. Gladstone's Ministry.

Argyll, and Lord Hartington, were representatives of the old system, its most picturesque members had lived in other surroundings. Mr. Bright, who accepted the Presidency of the Board of Trade, was a manufacturer; Mr. Lowe, who took the seals of the Exchequer, had made his reputation in politics in Australia, and in journalism in London; Mr. Childers, who became First Lord of the Admiralty, had sat in the Legislature of Victoria, and had served as Agent-General for the colony; Lord Hatherley, who took the seals of the Chancellorship, and who, in Dean Hook's opinion, was *facile princeps* of his generation,[1] was the son of 'that beast Wood,'[2] alderman and fishmonger, who had sat by Queen Caroline's side on her entry into London half a century before; Mr. Goschen, who was appointed Chief Commissioner of the Poor Law Board, was a leading partner in an important financial house; Mr. Forster, the new Vice-President of the Council, was a member of a manufacturing firm in Yorkshire.

Mr. Gladstone.

Mr. Gladstone, in his own person, represented the two classes which were thus combined in his Administration. The son of a Liverpool merchant, he was drawn from the commercial class, which was gradually forcing itself into political power; but his mercantile origin had been partly obscured by the baronetcy which had rewarded his father's success; by the education which had won him distinction both at Eton and Oxford; and by the associations which he had formed at the school and at the university. The country gentlemen had been as ready to accept him as a welcome recruit, and as a future leader, as their fathers had been glad to receive Sir Robert Peel in a preceding generation. And, to a certain extent, they were right; for, of all the statesmen in the nineteenth century, it is

[1] Stephens's *Life of Hook*, p. 433.
[2] George IV.'s phrase: see *Hist. of England*, vol. ii. pp. 32, 36.

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difficult to name one who had a greater devotion to the established institutions of his country than Mr. Gladstone. He had a respect for the Throne which found expression in some of his best speeches; an affection for the Church, which influenced his daily life and his political career. All his sympathies were attracted by the traditions under which the British Empire had gradually risen to greatness. It was his fate, towards the end of his life, to be connected with a policy apparently opposed to his original convictions; but, though his reason led him far from the opinions with which he commenced his career, he never lost his reverence for the institutions which it was his lot to do so much to reform.

He was now entering the sixtieth year of his age—he took the oath, as a member of the new Parliament, on his fifty-ninth birthday—but his sixty years had dealt gently both with his body and his mind. He retained the full energy which had distinguished him physically and intellectually from the first. His brain, his voice, his glance, and his manner displayed nothing to show that he had already attained the age when most men's faculties begin to fail.

The result of the general election, the voice of the electors, the composition of the new Government, and the aspect of the new Parliament—all these things denoted that the period of political stagnation, which had characterised Lord Palmerston's Ministry, had passed away. The tide had fallen to its lowest ebb in 1865 or 1866, and the waters were again turning, and rising with an accumulated power. The country was weary of the old policy of constant intervention abroad and consequent expenditure at home. The old watch-words—peace, retrenchment, reform—had recovered their old popularity; and the personnel of the new Government, in which Mr. Bright held office inside, and

The expectations of the country.

Mr. Forster outside, the Cabinet, furnished a guarantee that, in the immediate future at any rate, the attention of Parliament, instead of being occupied with the affairs of other nations, would be concentrated on its own domestic concerns.

Reform—so the nation thought—was wanted in many matters. The new electors required—so it was argued—the protection of the ballot. The lessons which the Prusso-Austrian war had taught, had to be impressed on the administrators of the British army. The higher ranks of the service had to be opened to every educated Englishman by the abolition of the purchase system, which converted the profession into a virtual monopoly for the wealthier classes; the lower ranks had to be made more attractive to the masses by the introduction of acceptable improvements and the abolition of degrading punishments. The expenditure of the nation had to be ruthlessly overhauled, and its administrative machinery rigorously examined. The higher and lower education of the people had to be completely refashioned. The time, it was thought, was at last ripe for increasing the efficiency, and widening the scope, of university education. The endowments, which the great public schools enjoyed, had to be placed under effective control, and the schools themselves had to be adapted to modern conditions; the education of the masses of the people had to be made more general and more popular. In the universities, in the public schools, and in the village school-house, moreover, the Church of England enjoyed a commanding influence, which was resented by all those who did not conform to her teaching. The time had come, so it was argued, when these privileges should no longer be retained. The general election, which had so largely turned on the future position of the Church in Ireland, had indirectly dealt a blow to the Church in England; and those who

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stood outside her pale were ready to take advantage of the opportunity, which had been afforded to them, to effect reforms which they had vainly demanded from previous Parliaments.

The three branches of the Irish upas tree.

But, if the reforms, which the new Parliament was expected to undertake, were many and important, it was universally admitted that its chief duty was to address itself to the task of doing justice to Ireland. Mr. Gladstone had undertaken, both in the last House of Commons and on the hustings, to deal with the grievances of the Irish people—the three branches of the Irish upas tree, as he had called them—and the country was impatient to see how he would give effect to his pledges. The hour had struck: the man had come.

The resolutions, which Mr. Gladstone had carried in the previous Parliament, had sounded the knell of the Irish Church; but the language which he had used, both in Parliament and on the platform, had shown that he intended also to deal with the complaints of the Irish tenantry, and to provide in some way for the higher education of the Irish people. Mr. Gladstone, however, did not conceal from himself that the disabilities, which legislation could alone remove, were not the only causes of Irish discontent. Throughout the nineteenth century, the administration of Ireland had been conducted almost exclusively by English statesmen on English ideas; and the Castle at Dublin, which was the seat of government, had, in consequence, become almost as unpopular as the Irish Church. Some statesmen might perhaps have been tempted to inquire, in 1869, whether the time had not arrived for remodelling the whole administrative machinery, either by delegating to Ireland some measure of Home Rule; or by abolishing the Irish Viceroyalty—the symbol of separation—and by placing Ireland, like Scotland, directly under

the Home Office. Instead of adopting so radical a remedy, Mr. Gladstone persuaded himself that he could do effectual justice to the Irish people by placing an Irishman in the chief executive post in the Irish Government; and he accordingly reappointed Mr. Chichester Fortescue, an Irish landlord, to the Chief Secretaryship. Satisfied, moreover, of the benevolence of his own intentions, convinced that Irish discontent had been due to England's conduct, and would be removed by English justice, he decided on, at once, affording a striking example of his hopes and his confidence. In England, offences against the body politic were almost unknown. In Ireland, no fewer than eighty-one persons—excluding soldiers—were undergoing penal servitude for overt acts or secret conspiracy against the Government. By a bold stroke, Mr. Gladstone decided—after a careful review of the cases—on giving an unconditional pardon to more than half—forty-nine—of these offenders. The men, who were thus released, were, in the opinion of the Government, men, who 'might be described as the dupes and tools of others, men incapable, as far as could be ascertained, of doing mischief hereafter in any fresh insurrectionary attempts.'[1] But, cautiously as the Minister acted in the matter, his conduct in releasing political prisoners excited almost as much alarm as his conduct in proposing to disestablish and disendow a wealthy Church. The old traditions, the old beliefs, were being simultaneously destroyed by the new men who held some of the chief offices in Mr. Gladstone's Administration. The intemperate conduct of an Irish mayor—the Mayor of Cork,[2] who presided at a banquet

The release of the political prisoners.

[1] *Hansard*, vol. cxciv. p. 160. Of the forty-nine prisoners thus discharged, thirty-four were in Australia and fifteen in Great Britain.

[2] O'Farrell, an Irishman, had attempted the assassination of the Duke of Edinburgh at Port Jackson in Australia in the previous year. In consequence of the mayor's highly improper speech, Mr. Gladstone's administration introduced a

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given to some of the released prisoners, and who had the indecency, in doing so, to speak in sympathetic terms of an Irishman, O'Farrell, who had just attempted the assassination of the Duke of Edinburgh in Australia—seemed to justify the old prejudice that Irish disaffection could not be cured by English kindness. An unfortunate recrudescence of agrarian outrages excited renewed apprehensions on both sides of the Houses of Parliament;[1] and, though extreme men were ready to endorse Mr. Bright's dictum, that no more acts of repression ought ever to pass, unless they were accompanied with measures of a remedial and consoling nature,[2] old-fashioned Liberals joined with Conservatives in thinking that the restoration of order should precede the redress of grievances, and in condemning the new doctrine that the redress of grievances would lead to the restoration of order.

The Irish Church.

Undeterred by these criticisms, unmoved by these apprehensions, Mr. Gladstone steadily adhered to the task, which he had set himself. In the front of this programme stood the great question of the Irish Church. Its mere disestablishment, or its disconnection from the State, would have been a comparatively easy

Bill to disable him from holding the mayoralty, or any other office, or place, in Cork or Ireland. *Hansard*, vol. cxcvi. p. 185. It was argued, in the course of the long debate which arose on the motion for the introduction of the Bill, that the case should have been brought forward, in accordance with the precedent in the Porteous case, in the House of Lords, where the necessary depositions on oath could have been made justifying the introduction of the measure. *Ibid.*, p. 193. This view was overruled by the Government, the Bill was ordered to be brought in, instructions were given that a copy of it should be served on the mayor; and the Attorney-General was directed to be prepared with evidence in support of it on the second reading. *Ibid.*, p. 244. The mayor, however, had the good sense to anticipate the decision of the House by resigning his office; and the grace to accompany his resignation with a letter couched in terms as becoming as his previous utterance had been indecent. *Ibid.*, p. 575. And the Government gladly accepted this solution of a disagreeable question, and abandoned the Bill. *Ibid.*, pp. 577, 1401.

[1] See, *inter alia*, the debate in the House of Commons, *Hansard*, vol. cxcv. p. 1982; and in the House of Lords, *ibid.*, vol. cxcvi. p. 707.

[2] *Ibid.*, vol. cxcv. p. 2016.

matter; but its disendowment raised issues, which might have baffled the constructive abilities of any statesman. For Mr. Gladstone had undertaken not merely to disendow a Church, he had simultaneously promised to consider and protect the life interests of its various office holders. And this pledge compelled him to address himself to a mass of calculations, which perhaps no statesman, who was not also a statistician, would have found it easy to understand. Above all this, there was the broad question which dominated the whole subject: to what object should the property of the disendowed Church be applied? No man, said Lord Castleton in Lord Lytton's novel, can tell how hard it is to do good unless fortune gives him 100,000*l.* a year, and says, 'Now do good with it.'[1] No one appreciates the difficulty attaching to the disendowment of a great and wealthy corporation, till he addresses himself to the task of appropriating the funds, which he has decided on diverting from their previous uses.

The Bill for its disestablishment.

Yet, on the 1st of March, 1869, only two months after the formation of his Government, Mr. Gladstone rose in the House of Commons to take the first step in his great project. It is a mere commonplace to say that he made many great speeches during his long parliamentary career, and that his Budget statements had made the House familiar with his marked power of explaining the details of complicated measures. But he probably never showed himself so effective a master of explanatory speech as on this occasion. His exposition extended over more than three hours; and Mr. Disraeli himself said that 'not a phrase in it was wasted.'[2] During the whole of this time the House fell, and remained, under the charm of the magician. Some of his audience genuinely believed that he was

[1] *The Caxtons*, pt. xiv. ch. 5.

[2] *Hansard*, vol. cxciv. p. 468.

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advocating a policy of sacrilege; others of them as genuinely thought that, by redressing a great injustice, he was fulfilling the highest aims of God, and furthering the best interests of man; but those who gloried in the equity, as well as those who shuddered at the iniquity, of the policy, were equally sensible of the powers of the orator. The House could not but be swayed by the magnificent manner in which Mr. Gladstone introduced his proposal.

The deep reverence, with which Mr. Gladstone approached his subject, was almost as striking as his courage in raising it. In the previous year, in moving his famous resolution, he had applied to the Church the magnificent lines of Hamlet:

> We do it wrong, being so majestical,
> To offer it the show of violence.

A quotation, which, it must be admitted, sounded strangely in the mouth of a statesman, who was proposing both the disestablishment and the disendowment of the Church as remedies for Irish disaffection. Yet, in 1869, in carrying out his policy, Mr. Gladstone did much to justify the appositeness of the phrase; for, if he displayed, on the one hand, his deep sense that the sacrifice was necessary, he showed, on the other, a determination to spare the feelings of his victim, and to break, as far as it was possible to break, the inevitable fall of the Establishment. Out of a total property, which without taking into account the glebe houses and churches, he placed at 16,000,000*l.*, Mr. Gladstone set aside nearly 8,000,000*l.* to be paid in compensation to different persons who had life interests in the Church. In addition to this munificent provision, he left the Church, or rather the new governing body which he proposed to establish, the fabrics of all the churches and the churchyards attached to them. He enabled it to acquire the glebe

houses, and a certain portion of the glebes, on easy terms.[1] At the same time he conciliated the laymen of Ireland by allowing them to purchase the tithe rent charge on their estates in a method which they themselves regarded as liberal, and which many Radicals were disposed to denounce as unjustifiably lenient.[2] It was afterwards computed that the liberal use of the public credit for these purchases had raised the value of the Church property to 19,000,000*l.*, and that Mr. Gladstone was devoting 10,000,000*l.* of the 19,000,000*l.* to the interests of the Church.[3] The balance of the property, as the Bill was originally drawn, Mr. Gladstone proposed to devote to the relief of unavoidable suffering.

Its provisions.

The administrative arrangements under the Bill were almost as favourable to the Church as the financial scheme. True that the Church, on the Bill becoming law, was to hand over its endowments to the new body instituted for its future governance; that, on the 1st of January, 1871, its union with the Church of England was to be dissolved, its courts were to be abolished, and

[1] *Hansard*, vol. cxciv. pp. 435-442. The compensations which Mr. Gladstone proposed to grant were as follows:

| | |
|---|---|
| Life Interests, Bishops, Dignitaries, and Incumbents | £4,900,000 |
| Compensations, Curates | 800,000 |
| Compensations, Lay (including Value of Advowsons) | 900,000 |
| Private Endowments | 500,000 |
| Debt on Parsonages, &c. | 250,000 |
| Grants to Presbyterian Church and Maynooth | 1,100,000 |
| Expenses of Commission | 200,000 |
| | £8,650,000 |

*Ibid.*, pp. 450-454.

[2] The tithe rent charge amounted to 365,000*l.* a year. Mr. Gladstone offered it to the Irish landlords at 22½ years' purchase, or for 8,212,500*l.* But, as the landlords could not be expected to raise this sum, Mr. Gladstone proposed to lend them the money at 3½ per cent. The interest at 3½ per cent. on 8,212,500*l.* slightly exceeds 291,000*l.* a year. The difference between the amount of this interest and the amount of the rent charge, nearly 74,000*l.* a year, was sufficient to extinguish the whole loan in fifty-two years. The landlords, therefore, received a free gift of 8,212,500*l.* due fifty-two years afterwards. Mr. Gladstone defended the proposal with his accustomed ingenuity; but it remains one which it is a little difficult to justify. *Ibid.*, vol. cxcvi. pp. 37, 39, 42, 49.

[3] *Infra*, p. 370.

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its bishops removed from the House of Lords. But, what the Church was destined to lose in authority, it was to gain in freedom. Its governing authority was given a space of ten years to prepare for its future. It was assumed that, during this interval, it would have time to frame the constitution under which the Church should, in the future, be regulated. In the meanwhile, the ecclesiastical laws, though losing their force as laws, were to be understood as subsisting in the shape of a voluntary contract, binding the bishops, the clergy, and the laity together.

Few of the great measures, which were passed by Parliament during the nineteenth century, received less modification during their passage through the Legislature than this famous Bill. Its fate had, in fact, been decided on the hustings in the previous autumn; and, so far as the House of Commons was concerned, its success was assured. If, moreover, the Conservative party, in that House, had only a minority of votes to oppose to the measure, they did not excel in argument in resisting it. The same curious disability, which had marked Mr. Disraeli's opposition to Mr. Gladstone's proposal in 1868, weakened his defence of the Irish Church in 1869 : few men would consider that his speech on the Irish Church Bill gave him claim to rank either among the great statesmen, or among the great orators, of the nineteenth century.

Mr. Disraeli's defence of the Church.

Mr. Disraeli might have argued, as some of his friends afterwards argued, that it was impolitic to divorce a Church from the State, and improper to confiscate the property of a great corporation. But he did not rest his case on these plain issues. He contended, on the one hand, that it was ridiculous to attempt to promote peace in Ireland by adding, to the discontent of the Church of Rome, the discontent of the English and Presbyterian Churches. He hinted, on the other hand,

that a policy of confiscation, once begun, would inevitably be followed up; and that, if corporate property were appropriated to-day, private property would be assailed to-morrow. But even this appeal to the apprehensions of the wealthy gentlemen, who sat around and behind him, carried no conviction. The Conservatives hardly concealed their disappointment at the ineffective stand which their leader was making; and the measure, sustained by the enthusiasm of its friends, and feebly resisted by its dejected adversaries, made rapid progress. Its second reading was carried by a rather larger majority than had been generally expected;[1] and a motion, which received Mr. Disraeli's support, but which was not made on his initiation, against going into committee, was rejected by an even larger majority than that which had carried the second reading.[2] 'The verdict of the country had cast its shadow over the path;' and the Conservatives felt that 'continued resistance to the measure could have no other effect but to broaden and lengthen that shadow.'[3] In these circumstances, the first, and, in one sense, the most important clause of the Bill, was carried, after a single night's debate, by a decisive majority,[4] and the Bill was subsequently suffered to pass through committee almost without amendment, and, what was more unusual, after comparatively few divisions of importance.[5] The Conservative party, in fact, showed by its conduct that

[1] By 368 votes to 250. *Hansard*, vol. cxciv. p. 2128; cf. *Life of Bright*, vol. ii. p. 328.

[2] By 355 votes to 229. *Hansard*, vol. cxcv. p. 936.

[3] The epigram is the Bishop of Down's; the commentary on it, Mr. (afterwards Sir William) Gregory's. *Ibid.*, vol. cxciv. p. 1694.

[4] By 344 votes to 221. *Ibid.*, vol. cxcv. p. 1059.

[5] I believe that I am right in saying, that the three most important divisions in committee, after the division on the first clause, were: (i) on a proposal of Mr. Disraeli's to give the reconstituted Church its glebe houses free (*ibid.*, vol. cxcv. p. 1856), which was rejected by 318 votes to 227 (*ibid.*, p. 1876); (ii) a proposal to respect private endowments from A.D. 1560 instead of from A.D. 1660, which was rejected by 306 votes to 220 (*ibid.*, p. 1923); (iii) an amendment to the clause relating to Maynooth (*ibid.*, vol. cxcvi. p. 298).

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it recognised its impotence to defeat the measure, and confined its exertions to attempting, to vainly attempting, to modify its details.

Though the Conservative party felt itself powerless to modify the Bill in its passage through committee, it abstained from using the most formidable weapon, which minorities have at their disposal—the weapon of obstruction. Ineffective as Mr. Disraeli's opposition had been, he was too wise to neglect the signs of the times, or the temper of the country; and, long as the measure was, complicated as many of its provisions were, ten days proved sufficient for its consideration in committee. The enthusiasm, and the distrust, which the Bill excited, did not disappear at this stage. The division on the third reading of the Bill was almost as large as that on the second, and the majority which supported Mr. Gladstone was almost as decisive.[1] The progress, which was thus made with the measure in one House, enabled it to be presented to the other at a comparatively early period of the Session; and the Lords were deprived of the opportunity of saying that they had no leisure to consider the provisions of a Bill, the second reading of which they were enabled to debate in the middle of June.

The Irish Church Bill in the Lords.

For once, too, a debate in the Lords was awaited and watched with more interest than a debate in the Commons. Everyone felt that, in the Lower Chamber, the issue was certain; but everyone knew that, in the Upper Chamber, the preponderance of opinion was opposed to the measure, and was eager to ascertain whether the Peers, as a body, would have the courage of their convictions, or whether they would find some pretext for yielding to the pronounced opinion of the nation. Rumours that the Lords would reject the Bill

[1] The majority on the third reading was 361 votes to 247. *Hansard*, vol. cxcvi. p. 1078.

were freely circulated; and the consequences of their possible action, in doing so, were as freely canvassed. In the heat of party strife, many things are said and done, which it is difficult to justify; and, in the midst of the doubts which were everywhere expressed, one prominent member of the Cabinet took occasion to write a letter, which may have contained much truth, but which did not display much discretion. 'The Lords,' so Mr. Bright wrote,[1] 'are not very wise, but there is sometimes profit to the people even in their unwisdom. If they should delay the passing of the Irish Church Bill for three months, they will stimulate discussion on important questions, which, but for their infatuation, might have slumbered for many years. . . . It would be well if the Peers could bring themselves on a line with the opinions and necessities of our day. In harmony with the nation, they may go on for a long time; but, throwing themselves athwart its path, they may meet with accidents not pleasant for them to think of.'

Such words, however natural they might have been in the mouth of a great democratic leader, were as unusual as they were indiscreet in a Cabinet Minister; for it ought to have been the object of every member of the Cabinet to make it easy for the Peers to give way; and a body of high-spirited men are not likely to be conciliated by being told that they are fools, or by threats of unpleasant consequences to themselves or to their order. It is, moreover, bare justice to the Lords to add that their conduct, in 1869, showed that Mr. Bright's taunts were not deserved. They had the good sense to realise, that uncompromising opposition would be both useless and unwise. And the debate, in which

[1] *Hansard*, vol. cxcvii. p. 4. The rumours that the Peers might throw out the Bill were justified by the fact that, at a meeting of the principal Conservative Peers at the Carlton, the majority had been in favour of adopting that course. See *Memoirs of an Ex-Minister*, p. 653.

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they discussed the Bill, was worthy of the occasion. It was opened by Lord Granville in a speech, which had all his accustomed skill and charm in presenting the unacceptable for acceptance; it was illuminated by the Bishop of Peterborough in a manner which confirmed in this country the reputation which his eloquence had already won for him in Ireland;[1] and it inspired Lord Derby with a parody of a noble passage in 'Guy Mannering,' so appropriate in its application, and so eloquent in its delivery, that even those who differ from the orator in his opinions may envy him its conception. 'Go your way, ye Ministers of England! Ye have this day, so far as in you lay, quenched the light of spiritual truth in 1,500 parishes. See if your own Church stand the faster for that! There are not seven but 700,000 hearts who have connected themselves with you in loyal attachment to the Sovereign for the sake of that Protestant religion which you both profess,—who, in defence of that union which you induced them to form, would have shed their dearest life blood, but now find that from you, to whom they looked for protection, they meet with oppression.'[2]

Neither the speech, however, of the eloquent prelate, who was addressing the Lords for the first time, nor that of the ex-Prime Minister, whose increasing feebleness showed that he was delivering one of his last speeches in Parliament, was of most significance. Far more

[1] Dr. Magee, the Dean of Cork, had been made Bishop of Peterborough in the autumn of 1868, on the recommendation of Mr. Disraeli, with the obvious object of emphasising the connection between the English and the Irish Churches. He had risen into prominence in the previous summer, from a sermon which he had preached at Dublin, before a large gathering of English and Irish Churchmen, collected in defence of the Irish Church. Dr. Magee took for his text on this occasion, 'They beckoned unto their partners which were in the other ship, that they should come and help them' (the sermon was subsequently published as a pamphlet). If the partners in the other ship were unable to render effectual help, they, at any rate, rescued Dr. Magee from the wreck, and took him on board their own vessel. For the Bishop's speech on the second reading of the Bill, see *Hansard*, vol. cxcvi. p. 1853.

[2] *Ibid.*, vol. cxcvii. p. 21.

important was the fact that the Primate of England, though he condemned the Bill, recommended his brother Peers to pass its second reading, and to attempt its reconstruction in committee;[1] and that another prelate, of whom it may be said that the historian will be remembered when the bishop is forgotten, had the courage to argue that religious endowments, like secular institutions, derive their sanction from their utility; and to support, not only by his speech but by his vote, the recommendation of the Primate that the Bill should be read a second time and amended in committee.[2]

The fact was, that one of those rare occasions had arisen in politics, on which the Crown had ventured to exert its influence for the sake of peace. The Queen had recognised, from the first, that the disestablishment of the Irish Church, however distasteful it might be, had become inevitable. Before the introduction of the measure, she had consented, at her Minister's suggestion, to see the Bishop of Peterborough, and had placed him in communication with Mr. Gladstone. At a later stage, she had used her influence with the Primate of England to prevent the defeat of the Bill on its second reading in the House of Lords. In one sense, her Majesty's interposition did not effect much. The Bishop of Peterborough, on his part, made the impracticable suggestion that the endowments of the Church posterior to the Reformation should be given to the Church, and those preceding it to the Roman Catholics. The Archbishop of Canterbury, on his part, stipulated for an additional 3,000,000*l.* 'to float the new Church upon.'[3] But, though Archbishop and Bishop used the

[1] *Hansard*, vol. cxcvi. p. 1715.

[2] Bishop Thirlwall, of St. Davids. *Ibid.*, p. 1822.

[3] Morley's *Life of Gladstone*, vol. ii. pp. 261, 270; cf. *Life of Archbishop Tait*, vol. ii. pp. 8–43; in which the correspondence between the Queen, the Archbishop, and Mr. Gladstone will be found.

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opportunity, with which the Queen's intervention supplied them, to endeavour to secure better terms for the Church, much was gained by her Majesty's action. The whole tone of the debate was affected by the knowledge that she was aware of the necessity of compromise; and the best representatives of the Church in the House of Lords, instead of denouncing the measure as inadmissible, were content to discuss the terms on which it should be permitted. The Queen had rendered the same sort of service to the country that her uncle, William IV., had discharged nearly forty years before.

It so happened that another statesman, whose influence was fast increasing, was also in favour of compromise. In a comparatively short period the man, who had won his spurs in opposition as Lord Robert Cecil, had become Lord Cranborne, and had succeeded to his father's peerage as Lord Salisbury. Ever since he had retired from Lord Derby's Cabinet in 1867, Lord Salisbury had maintained an attitude of independence; he saw more clearly than many of his old colleagues that the leap in the dark, which Lord Derby had made, and against which he himself had so vehemently protested, had led to the election of a House of Commons with which the House of Lords could no longer afford to trifle. He saw also that, rightly or wrongly, the fate of the Irish Church had been referred to the constituencies in 1868, and that, in every part of the kingdom, the electors had given a reply which could not be misinterpreted by the dullest intellect. Thus he too, though prepared to condemn the Bill in its details, was too wise to refuse assent to its principle; and joined the Primate and the Bishop of St. Davids in recommending that the measure should be read a second time.[1] Lord Carnarvon, who had left the Con-

[1] *Hansard*, vol. cxcvii. p. 81.

servative Government in 1867 with Lord Salisbury, supported this advice.[1] Thus a detachment of Peers, not inconsiderable in number, but still more considerable for their abilities, refused to incur the consequences of rejecting the measure. After four nights' debate the Bill was read a second time, by 179 to 146;[2] and the danger, which might have ensued from a conflict of opinion between the two Houses, was avoided—at any rate for the time.

The Bill is read a second time.

The division would perhaps have been larger if, in the previous year, the House of Lords had not itself decided, under the influence of the great democratic wave, which was carrying so many things before it, on parting with some of its old privileges. Among these was the right, which the Peer who was absent still claimed, to lodge his proxy with a Peer who was present—a right which gave, for example, the Governor-General of India or the Ambassador at St. Petersburg, if these men, or either of them, were Peers of Parliament, the same weight in the division list as their brother Peers who had attended the debate, who had digested the arguments, and who were in touch with the people. In olden times the use of proxies had been unlimited; and on one occasion, in the seventeenth century, the Duke of Buckingham, on the principle, perhaps, that he was 'all mankind's epitome,' had come down with more than twenty proxies in his pocket. In more recent times, however, the use of proxies had been subject to regulation, and an order had been made that no Peer should hold more than two proxies; that these proxies should not be used in committee or in judicial proceedings; and that they should be entered before 3 P.M. of the day on which it was intended to use them.[3] These regulations remedied some of the abuses which had resulted from

The abolition of proxies.

[1] *Hansard*, vol. cxcvi. p. 1717. [2] *Ibid.*, vol. cxcvii. p. 304.
[3] *Ibid.*, vol. cxci. p. 561.

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the indiscriminate and unrestrained use of proxies. But the whole system, though it lingers still in the meetings of joint-stock companies, was felt to be inconsistent with the growth of democracy; and in 1868 the Lords, on the advice of a select committee, which Lord Shaftesbury had secured, decided by a standing order that the use of proxies should be discontinued, and that the standing order, discontinuing their use, should not be suspended except on two days' notice.

This order affords one more illustration of the manner in which reforms are occasionally accomplished in this country. The use of proxies was not finally abandoned,—it would probably have required an Act of Parliament to abolish them—it was merely suspended by standing order; with a tacit understanding that resort would never again be made to it. Just as, in 1858, a long struggle had been virtually terminated by an order of the House of Commons, which enabled the Jew to be sworn in a form which was consistent with his creed; so, in 1868, a privilege of peerage disappeared through the adoption of a standing order discontinuing the use of proxies.

The last important occasion, on which the use of proxies had affected the issue, had occurred in 1864. The vote of censure on the Danish question was defeated by the Peers who were present, and was carried by the proxies of Peers absent from the division.[1] The first important occasion, on which the disuse of proxies probably influenced the result, was the division on the Irish Church Bill. The majority in favour of the second reading would not have been so large if the use of proxies had still been permissible, and resort had been made to it.

[1] The numbers in the division list were: contents, present 119, proxies 58, total 177; non-contents, present 123, proxies 45, total 168. *Hansard*, vol. clxxvi. p. 1190. Lord Stanhope in 1868 condemned Lord Derby for calling for proxies on this occasion; but Lord Derby was absent from the division list, and his own vote was recorded by proxy. *Ibid.*, p. 1191, and vol. cxci. p. 567.

The Bill in committee.

The passing of the second reading of the Bill, however, did not terminate the controversy. The men, who had been persuaded to advocate the acceptance of its principle, had done so with the avowed object of modifying its details; and the Lords at once addressed themselves to the task of making better terms for a Church which they practically admitted they were powerless to save. The Archbishop of Canterbury had asserted his intention to get an additional three million pounds for the new Church to float upon. With the help of his brother Peers, his performance was a little better than his promise. On the 29th of June, the Peers decided, on the Archbishop's motion, to defer the commencement of the Bill from 1871 to 1872.[1] On the 1st of July, the compensation, awarded to the clergy, was made a little more liberal by calculating it on their whole income, instead of on their net income after a tax payable to the Ecclesiastical Commissioners had been deducted from it.[2] On the same night, the compensation to curates was increased.[3] On the following evening, the Church was presented with its glebe houses free from any charge upon them.[4] But these changes, considerable as they were, did not satisfy the zeal of the friends of the Church. The Archbishop of Canterbury, adopting, to some extent, a suggestion which the Bishop of Peterborough had already made, desired to preserve for it all the private endowments which the Church had received from 1560 downwards; and, though he was eventually persuaded to accept a lump sum down for these endowments,[5] he insisted on retaining for the Church the Ulster glebes, as they were called, which had been granted to the Church by King James I.; and the Ulster

[1] *Hansard*, vol. cxcvii. pp. 743–47. The Peers subsequently modified the amendment, and made the commencement of the Act the 1st of May (instead of the 1st of January) 1871.

[2] *Ibid.*, pp. 886–900.

[3] *Ibid.*, p. 918.

[4] *Ibid.*, pp. 1001–1022.

[5] *Ibid.*, p. 1123.

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glebes contained five-sixths of the glebe land of Ireland.[1]

The pecuniary effect of these amendments was considerable. Mr. Gladstone, in his original scheme, had placed the property of the Irish Church (including the churches and the glebes) at 16,000,000*l.*; and he had raised this sum to 19,000,000*l.* by the liberal use of public credit. As the Bill had left the Commons, 10,000,000*l.* out of this 19,000,000*l.* had been left to the Church. As the Bill left the Lords, a further sum of 4,000,000*l.* was secured for it.[2] Verily 'the partners in the other ship' had done something for the crew of the sinking vessel beside them. A gift of 4,000,000*l.* in addition to the 10,000,000*l.* which the Commons had left them might, indeed, induce the ordinary Irish clergyman to thank God that there was still a House of Lords.

The proposal for concurrent endowment.

If the large majority of the Peers were resolute in their determination to preserve for the Church every farthing of its property which they could secure for it, the House of Lords had more difficulty in deciding another issue which was concurrently brought before it. Many men, on both sides of the House, were of opinion that advantage should have been taken of the disendowment of a wealthy Church to make some sort of provision for the indigent clergy of other denominations. From a religious point of view they thought it desirable that endowments, originally granted for the

[1] *Essays on Irish Church*, p. 251.

[2] The Lords' amendments added to the possessions of the Church:

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|---|---|
| The Tax on Annuities | £274,000 |
| Increased Compensation Curates | 519,000 |
| Private Endowments | 213,000 |
| Ulster Glebes | 422,000 |
| Glebe Houses | 153,000 |
| Increased Compensation Incumbents | 1,222,000 |
| Church's Share Concurrent Endowment | 1,100,000 |
| | £3,903,000 |

See Mr. Gladstone's speech, *Hansard*, vol. cxcvii. p. 1967.

support of religion, should continue to be devoted to that purpose; from a political point of view they considered it expedient to make the clergy of the Church of Rome a little more contented with their lot, and a little less dependent on their congregations, by setting aside some provision for their sustenance. A motion, which was proposed on the 2nd of July by the Duke of Cleveland, authorised the commissioners to purchase glebes, and erect houses for any clergy of the Church, unprovided with residences, whose services were still required, and for Roman Catholic priests and Presbyterian ministers. This proposal, which was supported by the high authority of Lord Russell, might conceivably have commended itself to the British people twenty years before 1869. At the time of Mr. Gladstone's Administration, however, the popular feeling was much more inclined to a policy of disendowment than of endowment, and the consciences of the English Nonconformists and the Scottish Presbyterians were equally opposed to the endowment in any shape of the priests of the Church of Rome. The Peers themselves were not free from the influence of these opinions; and the Duke of Cleveland's amendment was accordingly rejected.[1] But the Peers subsequently endeavoured to secure by indirect means an arrangement which they had shrunk from enforcing by a direct vote. As the Bill had reached them from the Commons, the surplus property of the Church had been reserved for the relief of the sufferer and of the insane; and there were undoubtedly grave objections to this particular method of disposing of it. For, in the first place, the relief of the sufferer and of the insane, in Ireland as in England, was a charge on the rates; and the provision of a huge sum for the support of these unfortunates was virtually equivalent to the grant of a special bonus to the owners

[1] By 146 votes to 113. *Hansard*, vol. cxcvii. p. 1078.

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of real property; and, in the next place, the sum devoted to the purpose was so large that it was contended that its application would inevitably lead to extravagant administration. 'It would require,' so it was said, 'one whole province of Ireland to go mad in order to exhaust the funds to be dedicated to lunatics.'[1]

There was, therefore, a good deal to be said for an amendment which reserved for the future consideration of Parliament the manner in which the surplus property of the Church should be dealt with.[2] In words, indeed, it offended against no principle which the Government was anxious to assert. But the language of those who supported it left little doubt that they intended to effect by it the concurrent endowment which they had failed to accomplish through the Duke of Cleveland's amendment. And, as if no doubt was to be left on this point, the Peers, after reserving the surplus for future disposal, proceeded to alter the preamble of the Bill in a manner which made it practicable for Parliament, at any future time, to make arrangements for concurrent endowment.[3]

In this respect, the Lords were perhaps justified. A sufficient body of opinion existed both in Parliament and in the country to enable them to reserve the question of how the surplus should be applied, for future consideration. But the Lords were not satisfied with this success. At the eleventh hour, after the Bill had passed through all its stages, they succeeded, on the motion of Lord Stanhope, in engrafting on it a fresh amendment empowering the commissioners to provide suitable residences for the clergy of the Established Church, where they were required, for the priests of the Church of Rome, and for the ministers of the Presbyterian Church. This amendment, which was carried by a very

The proposal adopted.

[1] *Hansard*, vol. cxcvii. p. 1232. [2] *Ibid.*, pp. 1228–1254. [3] *Ibid.*, p. 1268.

narrow majority,[1] reversed the decision at which the Lords had arrived on the Duke of Cleveland's motion. It reintroduced into the Bill the principle of concurrent endowment.

The division, at which this decision was pronounced, was remarkable. Men like Lord Russell, Lord Grey, and Lord Fortescue were found supporting Lord Stanhope; while Conservatives like Lord Derby and Lord Cairns voted with the Government. And it was perhaps fortunate, as the amendment was carried, that it was not adopted by a strictly party vote. Even, however, the fact that it was supported by Lord Russell could not conceal its significance; for the principle, which the Lords had asserted, was one which it was daily becoming plain that the House of Commons could not accept. Lord Cairns himself, in a speech which immediately preceded the division, declared that 'no one can deny that the feeling of the people of England and Scotland is opposed to any scheme of the kind.'[2] It was manifest, therefore, that the acceptance of Lord Stanhope's amendment had raised a new issue, which was not likely to reconcile the Commons to the other amendments which the Lords had introduced into the measure.

In fact, the Peers, by their conduct, had produced a crisis. A measure, which the constituencies of the three kingdoms had resolved to carry, had been so altered that its authors could hardly recognise it. And these alterations had been made in the face of a House of Commons which had no particular reverence for an Upper Chamber, and in opposition to a statesman who had shown his dislike of Lord Palmerston's method of arranging a similar controversy in 1860, and who was not likely to imitate the courteous behaviour of his late

[1] By 121 votes to 114. *Hansard*, vol. cxcvii. pp. 1625–1657.
[2] *Ibid.*, p. 1655.

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chief. In fact, Mr. Gladstone—to use the language of his biographer, 'was in no compromising mood. In a short speech he went through the amendments made by men so out of touch with the feelings of the country that they might have been "living in a balloon." One by one he moved the rejection of all [of them] that involved the principle of concurrent endowment, the disposal of the surplus, or the postponement of the date of disestablishment. He agreed, however, to give a lump sum of half a million in lieu of private benefactions, to readjust the commutation terms, and to make other alterations involving a fourth gift of 280,000*l.* to the Church.'[1] Except in these minor particulars, which did not affect the principle of the measure, the Bill was practically restored to the form in which it had left the Commons.

The Bill returned to the Commons.

During the next few days, the Queen again used her influence with the Archbishop of Canterbury to promote some acceptable compromise; and overtures were made both by Mr. Disraeli and the Archbishop to the Government, with the object of securing rather better terms for the Church. But Mr. Gladstone showed in his replies that no further concessions of any importance could be made by him;[2] and that neither the Cabinet nor the House of Commons was in any humour to yield more than had already been granted. The fate of the Bill, the fate possibly of the Government, seemed trembling in the balance; while the fate of the House of Lords itself—so many people might be disposed to think—might depend on the readiness of the Peers to yield to the demands of a resolute Minister supported by a determined House of Commons.

[1] Morley's *Life of Gladstone*, vol. ii. p. 272; and cf. *Hansard*, vol. cxcvii. pp. 1897, 1955–1993. The pecuniary concessions made at this stage to the Lords were: (i) Increased compensation incumbents' incomes, 410,000*l.*; (ii) do. curates', 100,000*l.*; (iii) private benefactions, 270,000*l.* (not 500,000*l.*, as Mr. Morley has inadvertently put it).

[2] Morley's *Life of Gladstone*, vol. ii. pp. 273, 275.

The time had, in fact, come when the Lords would have shown true wisdom in giving way. They had some excuse for doing so in the admiration which they genuinely felt for the perfect tact which their leader, Lord Granville, displayed on every occasion on which the Bill was before them. On the 20th of July, however, Lord Granville asked them not to insist on the amendments which they had made in the preamble;[1] yet Lord Granville's conciliatory request was rejected by a large majority.[2] Lord Granville, at once, announced that he could take no further responsibility upon himself without consulting his colleagues; and the House adjourned for thirty-six hours to afford him the opportunity of doing so.[3]

The position was very critical. The temper of the Commons could perhaps be inferred from an incident which followed the adjournment of the Lords. On the day which succeeded, a Liberal member of Parliament, alluding to an indiscreet speech, which had been made by Lord Salisbury,[4] asked the Speaker whether 'any apology or redress could be demanded from a Peer who, in his place in the Upper House, used language, insolent towards the Prime Minister, the leader of a great party, and insulting to the dignity of the House of Commons.' Happily for the cause of peace, Lord Granville's customary calm was not ruffled by the surrounding excitement; and happily, too, Lord Cairns, who led the Opposition in the Peers, was too wise to pursue a policy of resistance. In the short interval, which the adjournment of the Lords made available for the purpose, these two men met, and arranged the terms of a possible compromise. Under this new arrangement, the Act was again to take effect from the 1st of January, 1871; the surplus was to be devoted to the relief of unavoidable

Lord Granville and Lord Cairns arrange a settlement.

[1] *Hansard*, vol. cxcviii. p. 235.
[2] By 173 votes to 95. *Ibid.*, p. 321.
[3] *Ibid.*, p. 323.
[4] *Ibid.*, p. 368. For Lord Salisbury's speech, see *ibid.*, p. 303.

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calamity and suffering in the manner Parliament should hereinafter provide; and the compensation claims were made a little more generous than the House of Commons had intended, but a good deal less extravagant than the House of Lords had desired.[1] These alterations, though they were not universally approved, commended themselves to the good sense of most persons. Many of the Peers, indeed, privately complained that Lord Cairns should have concluded a compromise without their knowledge. 'Lord Derby was so angry that he left the House.'[2] But the objectors had no power to disturb a settlement at which every prudent person rejoiced. Mr. Gladstone himself, though he had originally wanted to throw up the Bill, and to fling on the Lords the responsibility of its loss, commended the acceptance of the compromise with a tact, and with a moderation, which even Lord Granville might have envied; and the Bill, which had created so much heat, and produced so much controversy, was finally placed on the Statute-book amid general rejoicing.

The Bill passed.

A branch of the famous upas tree had been struck off: the results of its fall were far different from those which had been contemplated on either side of the House. For, while the Conservatives were proved to have been wrong in thinking that the usefulness of the Church was dependent on its connection with the State, or on its accumulated wealth, the Liberals were shown to have been equally mistaken in imagining that the remedy of a grievance would remove the causes of Irish discontent. The Liberals, in short, could declare that the disendowed and disestablished Church had suffered

[1] For the debate in the Lords, see *Hansard*, vol. cxcviii. pp. 406–444. For that in the Commons, *ibid.*, pp. 564–592. The compromise, according to Mr. Gladstone, gave the Irish Church some 250,000*l.* more than had originally been intended. *Ibid.*, p. 569. The negotiation of the final compromise arranged between Lord Granville and Lord Cairns is admirably told by Mr. Morley in *Life of Gladstone*, vol. ii. pp. 276 *seq.*

[2] *Memoirs of an Ex-Minister*, p. 660.

neither in the relative number of its members, nor in the services of its ministers. The Conservatives could retort that disestablishment and disendowment had not brought peace to the unhappy land where there had hitherto been no peace.

The Irish land laws.

The disestablishment and disendowment of the Irish Church was only one portion of Mr. Gladstone's policy; and, in 1870, he addressed himself to the task of pruning another branch of the upas tree by reforming the Irish land laws. In addressing himself to this, the second portion of his policy, he found himself in a different position from that which he had occupied in the previous year. In 1869, the two sides of the House had been divided on principle. The Liberals had affirmed, the Conservatives had denied, the justice and propriety of disendowment and disestablishment. The Liberals had regarded as sacred a cause which the Conservatives had denounced as sacrilegious. But, in 1870, no such difference divided the two great parties in the State. Neither of them could contend that the Irish land system did not require some reform at the hands of the Legislature. Both of them, as a matter of fact, had attempted its amendment. The cardinal fact that the great mass of Irish tenants, out of their own labour or out of their own capital, had built their little dwellings, had drained and fenced their little holdings, and raised the land, on which they lived, above the value—the prairie value as it would have been afterwards called—which but for their improvements would have attached to it, had been burned into the minds of members on both sides of the House, and had convinced them—tardily convinced them, for a quarter of a century had passed since the Devon Commission had reported—that some remedy was, at last, necessary.

But if, so far, there was substantial agreement, there

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was a wide difference of opinion on the form which the new law should take. Apart from the proposals of men like Mr. Bright, who advocated the conversion of the tenantry into landlords, or of men like Mr. Mill, who practically desired to convert the State into a great landlord, there was a radical distinction between the views of the two sides of the House. On the Conservative side there was a not unnatural desire to preserve the rights of the landlord: on the Liberal side there was an overwhelming determination to redress the wrongs of the tenant. The Conservatives wished to preserve the power of the proprietor over his own property: the Liberals desired at any rate to prevent its arbitrary exercise.

Legislation before 1870.

Yet, in presence of this disagreement on details, there was, or there ought to have been, an agreement on the facts. Above all, there could be little question among those who were acquainted with the subject, that in the past the interference of Parliament had been almost as injurious as its non-interference. The Act of 1793, which had enfranchised the Roman Catholics, had led to the subdivision of property. The Act of 1829, which disfranchised the 40*s.* freeholder, had led to the greater mischief of a tenantry holding from year to year. The Act of 1849 had transferred nearly a sixth of the land of Ireland to 'a class of needy and hard-fisted land-jobbers.'[1] The Act of 1816, passed to remedy the expense and delays of ejection, which, in its own words, 'were so great as to make eviction impracticable as a remedy,' had made ejection so easy that 'notices to quit had descended like snow-flakes' on the unhappy tenantry;[2] and an Act of 1851 had made eviction

[1] See Judge O'Connor Morris's striking article in the *Nineteenth Century and After* for May 1903, p. 723; cf. *Hansard*, vol. cxcix. p. 344.

[2] Mr. Gladstone's phrase, *ibid.*, p. 347; cf. on the effects of the Act of 1816, Mr. Leslie Foster's evidence before a committee of the House of Lords in 1825; quoted in Gibbs, *English Law and Irish Tenure*, London, 1870, p. 15.

possible in the case of the smaller tenancies where the rent was only one year in arrear.[1] Great as were the powers which Parliament had thus conferred on the Irish landlord, Mr. Cardwell's Act had strengthened and reinforced them.[2] And the Legislature, which in these ways had done so much for the landlord, had done little or nothing for those who held under him. The recommendations of the Devon Commission, made as they had been on the authority of landlords, and supported as they had been by great landlords, had failed to commend themselves to the House of Lords. Even the proposals of Lord Derby's Government in 1852, which would have given effect to the recommendations of the Devon Commission, were only adopted after eight years of deliberation, and after 'the vital clause, which gave compensation to the tenant for improvements, and retrospective compensation,' had been struck out of it.[3]

In the meanwhile, if Parliament had done nothing to abate, the landlords in Ireland—possibly with the best motives—had done much to accentuate the difficulty. Between 1860 and 1868, the pasturage of Ireland had increased by 560,000 acres, and the tillage of Ireland had decreased by 400,000. The conversion of arable land into grass necessarily implied the consolidation of farms, and consequently the eviction of some of the tenantry; and, though the number of evictions in recent years had shown no tendency to increase, Mr. Gladstone stated that 'some of the most painful, some of the most indefensible, nay, some of the most guilty, of evictions,' had occurred in these eight years.[4]

The conversion of arable into pasture.

[1] 14 & 15 Vict., c. 57, sect. 73. Richey, *The Irish Land Laws*, p. 42.

[2] nder Mr. Cardwell's Act, an Irish landlord 'was able to eject a tenant from year to year for nonpaym nt of rent without notice to quit or power of re-entry—powers totally unknown to the landlords in this country.' See Mr. Chichester Fortescue's speech in *Hansard*, vol. cxcix. p. 242. Mr. Cardwell's Act is the 23 & 24 Vict., c. 154; see specially sect. 51, 52; and cf. Richey, *The Irish Land Laws*, p. 54.

[3] The phrase is Mr. Disraeli's. *Hansard*, vol. cxcix. p. 1811.

[4] *Ibid.*, p. 341.

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The substitution of meadow for plough land, moreover, aggravated the grievance which the evictions themselves caused by diminishing the demand for agricultural labour. The wretched cottier, ejected from his holding, had not even the consolation of finding work for his hands to do.

No Minister, dealing with this state of things, could refuse to make it his first object to carry out the recommendation of the Devon Commission, by giving the tenantry some interest in the improvements which they had effected in their holdings. In some parts of Ireland, such an arrangement was already in force. In Ulster especially a custom prevailed, though it had never been recognised by the Irish Courts, under which the incoming tenant was in the habit of paying the outgoing tenant for his value in his holding; and, even outside of Ulster, a similar custom had, in certain cases, gradually grown up, and had either been sanctioned or 'winked at'[1] by the landlords. Mr. Gladstone, with a wise and conservative preference for usage, decided on giving the custom of Ulster the force of law; but, in the case of the less binding customs which were growing up beyond the pale of the northern province, to limit their operation to those cases where the tenant was disturbed by the act of the landlord for some other cause than non-payment of rent.[2] In the great majority of cases, however, the tenant was unprotected either by the Ulster custom or any other analogous usage; and, in these, Mr. Gladstone proposed 'a scale of damages' for eviction.[3] In framing the scale, Mr. Gladstone proceeded on the assumption that, the smaller a man's tenancy, the greater his need for protection, and that the larger tenants did not require

The Irish Land Bill of 1870.

[1] Mr. Gladstone's phrase. *Hansard*, vol. cxcix. p. 368.

[2] *Ibid.* p. 369. In committee, all customs, corresponding essentially with the Ulster custom, were given the force of law. *Ibid.*, vol. cci. p. 774.

[3] *Ibid.* vol. cxcix. p. 369.

any protection at all. To a tenant whose holding was valued at not more than 10*l.*, Mr. Gladstone proposed that a judge might assign as compensation for disturbance a sum equal to seven years' rent; to a tenant whose holding was valued at under 50*l.*, five years' rent; where the holding was valued at under 100*l.*, three years' rent; where the value was over 100*l.*, two years' rent.[1] But the man who enjoyed a lease of not less than twenty-one years at a rental of not less than 50*l.*, or the man who held at will a farm valued at not less than 100*l.* a year, did not, in Mr. Gladstone's judgment, necessarily require this protection. These men were enabled, if they chose to do so, to contract themselves out of the Act.[2]

The compensation was to be paid for an act of arbitrary disturbance. It was not to be recoverable where eviction was the landlord's remedy for non-payment of rent, or if it were resorted to for the purpose of preventing the subdivision of a holding. But, in addition to this compensation for disturbance, the outgoing tenant was also to receive payment for any of his improvements which had added to the letting value of the land,

[1] These figures were subsequently altered. The tenancy valued at or under 10*l.* was to receive seven years' rent; the tenant whose holding was valued at or under 30*l.* was to receive five years' rent; the tenant whose holding was valued at 50*l.*, three years' rent; the tenant whose holding was valued at or under 100*l.*, two years' rent; and over 100*l.*, one year's rent. The compensation was in no case to exceed 250*l.*, and the tenant holding under a lease of not less than thirty-one years was not to be entitled to compensation for disturbance. See the Act, 33 & 34 Vict. cap. 46, section 3; and cf. Richey, *The Irish Land Laws*, pp. 67, 68. I have only attempted in the text to give the leading provisions of the measure. The proposal to give compensation on disturbance led to serious differences in the Cabinet, which apparently nearly led to the resignation of the Duke of Argyll, Lord Clarendon, and Mr. Lowe. Mr. Lowe ultimately gave way; but he remarked in doing so, 'I fear he [Mr. Gladstone] is steering straight on the rocks.' Morley, *Life of Gladstone*, vol. ii. p. 292. Those, who have read the extraordinary apology for landlordism, which the Duke of Argyll, in his later years, published under the title of 'The Unseen Foundations of Society,' will perhaps wonder that the Duke should have ever assented to the Act of 1870.

[2] *Hansard*, vol. cxcix. p. 370.

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and which were suitable to the nature of the holding.[1] In these cases, moreover, the interest of a tenant in the improvements effected by his own labour was not to be forfeited by his misconduct or his default. There was no reason, so Mr. Gladstone concluded, why the tenant, evicted for non-payment of rent, should be deprived of the results of his own toil. There was every reason, having regard to the delay in carrying out the recommendations of the Devon Commission, for giving this portion of the Act a retrospective effect.[2] On the other hand, the leaseholder was prohibited from claiming compensation for any improvements contrary to any contract voluntarily made with his landlord, and not required for the due cultivation of the soil. Nothing in any contract, so Mr. Gladstone decided, should enable the tenant to forfeit his right to make and to receive compensation for improvements required for the due cultivation of his farm.[3]

The purchase clauses.

If Mr. Gladstone had been concerned alone with the preparation of this great and revolutionary measure, it probably would have been confined to the provisions, the chief of which have been sketched in the preceding paragraph. But Mr. Bright's presence in the Cabinet, and the influence which was due to his eloquence in Parliament and to his position in the country, compelled the Prime Minister to take some steps for giving effect to his colleague's recommendation that a nation of occupiers should be gradually converted into a nation of owners. With this view certain clauses were added to the Bill under which loans of public money were granted to occupiers desirous of purchasing from their landlords any cultivated lands in their own occupation. The loan

[1] *Hansard*, vol. cxcix. p. 373.

[2] *Ibid.*, vol. cxcix. pp. 373, 375. No claim, however, was to be allowed for any improvement made more than twenty years before the passing of the Act, unless it were in the nature of a permanent building or a reclamation of land.

[3] *Ibid.*, p. 376. In committee this clause was confined to tenants paying less than 100*l.* rent. See Lord Hartington's remarks, *ibid.*, vol. cci. p. 20.

was, in no case, to exceed three-fourths of the purchase money, and it was to be repaid by easy instalments spread over a long period of years. For the purpose of these sales the limited owner was relieved from what Mr. Gladstone described as 'the fetters which now confine the actions of the owners of land;'[1] and was enabled to sell by private contract, or under the machinery provided by the Encumbered Estates Act. Mr. Gladstone himself did not attach much importance to this portion of the measure. He was not, so he admitted, one of those disposed to take a sanguine view of the extent to which a provision of this kind was likely to be acted on.[2] The ideal which he set before himself, both in the preparation and in the explanation of his scheme, was the ideal with which he was familiar in England. He did not wish for a nation of small proprietors, but for a country of generous landowners, and a contented tenantry. We think, so he avowed, 'that we ought to look forward with hope and expectation to bringing about a state of things in which the landlords of Ireland may assume, or may more generally assume, the position which is happily held, as a class, by landlords in this country—a position marked by residence, by personal familiarity, and by sympathy with the people among whom they live, by long traditional connection handed on from generation to generation, and a constant discharge of duty in every form that can be suggested.'[3] He added later on in his speech, 'Every line of this measure has been studied with the keenest desire that it shall import as little as possible of shock or violent alteration into any single arrangement now existing between landlord and tenant in Ireland.'[4]

[1] *Hansard*, vol. cxcix. p. 361. The loans, it was afterwards decided, should not exceed two-thirds of the purchase money. But the period, for their repayment, was extended from twenty-two to thirty-five years. 33 & 34 Vict. cap. 46, section 44, 48.

[2] *Ibid.*, vol. cxcix. p. 361.

[3] *Ibid.*, pp. 351, 352.

[4] *Ibid.*, p. 386.

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It was this determination of Mr. Gladstone to interfere as little as possible between the landlord and his tenantry, which was, at once, the great virtue and the chief defect in the Act of 1869: the chief virtue, for the wise man will usually refrain from unnecessary intervention in the working of economical laws; the chief defect, for it left, in some instances, the tenantry powerless, or even aggravated their difficulty. It was, indeed, no slight advantage to the Irish that the custom, which had grown up in Ulster, should have received the force of law; and that the tenants in other parts of Ireland should have been given a *bona-fide* interest in their holdings; and it seemed to be no slight merit in the measure, that it restricted arbitrary evictions by affording the tenantry compensation for disturbance.[1] But the compensation clauses in effect worked unequally both for the landlord and for the tenant. It was perhaps inevitable, but it was certainly inconvenient, that, while the scale of compensation for disturbance was fixed according to the valuation of the farm, the compensation was calculated on the rent paid for it. For instance, when a farm was valued at 10*l.*, and let by a generous landlord for 9*l.*, the tenant who was evicted received seven times the rent, or 63*l.* When, on the other hand, the farm valued at 10*l.* was let for 11*l.*, the tenant who was evicted received only 55*l.* The landlord, therefore, who had been content with the lower rent, was in certain cases practically required to pay more than the landlord who had exacted a higher rent, to get rid of an undesirable tenant. The landlord, who had himself improved his land, was even in a worse case. The owner of an unprofitable marsh, valued at

The defects in the Bill.

[1] The Act apparently contemplated that the Court, in awarding compensation, would take into account the circumstances of each case, and fix the amount of compensation accordingly. But, in practice, the Court, with no principle to guide it, fixed the maximum compensation as the compensation to be paid in each case. Richey, *The Irish Land Laws*, p. 70.

only 6*d.* per acre, drained and improved the land to such a degree that it was worth, and that he was actually offered for it, 1*l.* 16*s.* per acre. He found himself in this position. If he let the hundred acres of the marsh, at the higher value to which his expenditure had raised it, to ten tenants, each holding ten acres, the rent which he would receive would be 180*l.*, and the sum for which he would be liable, should he attempt to disturb them, would be 1,260*l.* He could not under the law make any contract to avoid the liability; and as land, distinguished from buildings, could not in Ireland be revalued, he had no other method of escaping from it.[1]

In fact, the tendency of the Act in its operation was to stimulate the very thing which its authors desired to discourage. They wished to give the small cottier greater security; and the Act made it the interest of the landlord to get rid of the small cottier. The circumstances of Ireland seemed to require the multiplication of small holdings; and the small holding became the least desirable holding for a landlord to perpetuate. This defect in the Act made it certain that it could not be accepted as a final solution of the difficulty. When once Parliament undertook to legislate on the difference between class and class, it was almost bound to make its legislation effectual. The Act of 1870, in consequence, became the forerunner, the inevitable forerunner, of the Act of 1881.

It may be added that the compensation clauses suggested to the worst type of landlord a novel method for effecting his object and clearing his estate of a redundant tenantry. Since compensation for disturbance could not be claimed in the case of non-payment of rent, and since there was nothing in the Bill to prevent the

[1] See the case, which actually occurred, stated in Richey, *The Irish Land Laws*, p. 70.

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exaction of excessive rents, the landlord, who wished to get rid of a tenant, had only to raise the rent to a sum which the tenant could not pay.[1] In the result, he did not even find it necessary to take so harsh a course; for the Act had hardly passed before the keen competition of foreign countries, which the application of steam to navigation had made possible, introduced difficulties in agricultural matters unforeseen in 1870. The tenant-farmers of the United Kingdom were approaching a period when they could no longer afford to pay the rents which they had easily borne in 1870; and no machinery for reducing rents had been invented by Mr. Gladstone. Thus it became possible to say, that while 'in a state of continual rise in prices and prosperity [the Act] might possibly have worked: as it was, it was severely tried, and it failed.'[2]

These defects in the Act must not blind the reader to its merits. Mr. Gladstone found a grievance to remedy; and he did much to remedy it. Public opinion was hardly ripe for disturbing the relations between landlord and tenant. Mr. Gladstone did not disturb them, but contented himself with punishing heavily the landlord who made a harsh use of the powers with which he was invested. The Irish tenant-farmer was asking for fair rents and fixity of tenure; and Mr. Gladstone gave him quite another thing—compensation for disturbance.

With all its defects, however, the Act did remedy a grave abuse. Ten years after it became law, a writer, who was keenly alive to its faults, described it as 'a great effort of resolute statesmanship.'[3] And, at the commencement of the twentieth century, a hostile critic declared that 'it had redressed the worst grievance in

[1] Examples of increases of rent, even on the well-managed estate of a great nobleman, will be found, *New Views on Ireland*, p. 64 *seq.* For some other instances, see pp. 94, 95.

[2] See Sir Charles Russell (Lord Russell of Killowen) in *ibid.*, p. 5.

[3] *Ibid.*, p. 5.

the Irish land system, giving tenants compensation for improvements which they had made in their farms, and protecting them by an actual or a potential tenant right.'[1] If, then, in the opinion of hostile critics, the Act left undone some things which it ought to have done, it did well and effectively what it professed to do.

The defect, against which Mr. Gladstone failed to provide, was not unforeseen at the time. One leading Irishman in the House of Commons, indeed, formally promulgated a much larger plan, under which an Irish landlord, by registering his land under a clause to be inserted in the Bill, was to be enabled to free his land, for ever, from the operation of the Bill, but to give his tenants a permissive parliamentary tenant right, with fixity of tenure, at rents to be from time to time judicially determined at intervals of fourteen years.[2] This amendment, resisted by Mr. Gladstone in 1870, virtually anticipated some features of the legislation promoted by Mr. Gladstone himself in 1881. Two other men, one of whom afterwards rose to the highest position which a lawyer can attain in Ireland, and the other of whom established a still higher reputation as one of the great thinkers of his time, devised another plan, as ingenious as it was bold, for remedying the defects of the Bill.[3] These men wished to fix judicially for all time the proportionate interest of both landlord and tenant in every Irish holding. When this sum was determined, they proposed to leave landlord and tenant free to apply for an increase or reduction of rent. But arbitrary action on the part of the landlord was to be

[1] See Judge O'Connor Morris in the *Nineteenth Century and After*, May 1903, p. 723.

[2] For Sir John Gray's amendment, *Hansard*, vol. cci. p. 989.

[3] Judge Longfield and Professor Cairnes See the *Nineteenth Century and After* for April 1903, p. 605; and cf. *Hansard*, vol. cci. p. 1017.

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checked by a provision that, when he raised the rent, he might be called on to purchase the tenant's interest at the increased value which he himself had assigned to his portion of the property. And unreasonable demands on the part of the tenant were to be similarly avoided by enabling the owner, when the occupier applied for a reduced rent, to purchase the tenant's interest in the holding at the reduced value which the tenant was assigning to it. But this scheme, ingenious as it was, would have involved an interference by the State in the relation between landlords and tenants, which would not have been accepted by public opinion in 1870; and which Mr. Gladstone himself was anxious to avoid.[1] The statesman after all finds his action circumscribed by the feeling of the country. He may hope to influence, or even to shape, opinion; he cannot act in defiance of it.

The Bill in the House of Commons.

The history of the Bill was remarkable. Read a first time on the 15th of February, its second reading was carried in the early morning of the 12th of March by a majority of 442 votes to 11.[2] Two or three discontented Irishmen, who thought the Bill did not go far enough, were alone found to join one or two Tories in opposing it. Mr. Disraeli, with most of his old colleagues, walked into the lobby with Mr. Gladstone, and voted in its support; but, though Mr. Disraeli and his friends hesitated to oppose the second reading of a measure which was supported almost universally by public opinion, he stated distinctly in debate his objections to it. In a speech which was much more remarkable for epigram than argument,[3] he dwelt on three principles of the Bill with which he professed himself unable to

[1] 'We have been very anxious to avoid by this Bill any interference of a public authority with any existing rent.' Mr. Gladstone, *Hansard*, vol. cxcix. p. 379.

[2] *Ibid.*, vol. cxcix. p. 1853.

[3] It was in the course of this speech that Mr. Disraeli made merry with Mr. Horsman as a superior person. *Ibid.*, p. 1810.

agree. (1) Legalising the Ulster custom was, in his judgment, neither more nor less than asking Parliament to legalise the private arrangements of every estate in the North of Ireland. You cannot legalise the custom of Ulster, because it does not exist; and, if it did exist, it would be much better to deal with it by a general clause affecting all the agricultural customs of Ireland, whether in the pale or outside the pale of Ulster.[1] (2) Mr. Disraeli objected to giving a tenant compensation for mere disturbance. He even invented a reason for his objection which must have alarmed, as well as amused, some of the large landlords around him. 'Among the most important moral relations [between a landlord and his tenantry] is exactitude in demanding and paying rent. Moral qualities of a very high order are developed when the tenant does not pay you rent. Forbearance in its most Christian aspect may then be exhibited in a manner that may claim the respect and admiration of society.' But, if the tenant were made the landlord's coparcener, the landlord could hardly be expected to exercise this forbearance. And so, in Mr. Disraeli's judgment, a million of dependent tenantry were to be left at the mercy of proprietors who knew them not, in order that some one righteous man might gain the respect of society by a display of the moral quality of Christian forbearance.[2] (3) Mr. Disraeli still further objected to the clauses which owed their origin to Mr. Bright, and which were intended to enable some Irish tenants to purchase their holdings. Always original, moreover, he had an original reason for his objection. The worst thing, according to Mr. Disraeli, which an Irish tenant could do, was to devote to the purchase of the freehold the capital which ought to be employed in the cultivation of the soil. 'No policy can be more unwise than that the tendency of which is to make at

[1] *Hansard*, vol. cxcix. pp. 1814, 1815.

[2] *Ibid.*, p. 1816.

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the same time of one man an inefficient tenant and a poor proprietor.'[1]

Mr. Disraeli, therefore, though he determined to support the second reading of the Bill, condemned all the provisions of it which gave it distinction. It was evident from his remarks that, if the debate on the second reading had been formal and insincere, the struggle in committee would be keen and vigorous. And it so happened that an unusually long interval necessarily occurred between the discussion on the second reading and the proceedings in committee. The eternal difficulty was again recurring. Mr. Gladstone was endeavouring to promote peace in Ireland by a policy of justice; and the Irish were replying by a renewal of outrages.

The recrudescence of outrage.

There are few things more disheartening in history than the attitude of the Irish people in the first two years of Mr. Gladstone's Administration. For once, a Ministry was in office pledged to do full justice to the cause of Ireland; it was displaying a confidence in its own convictions by suffering exceptional legislation to lapse, and by opening the doors of the prisons in which Irishmen were confined for political offences. It was making it its chief business in 1869 to redress one Irish grievance by the disendowment and disestablishment of the Church of a minority: it was making it its chief object in 1870 to redress another Irish grievance by giving the tenants of Ireland a substantial interest in their holdings. Yet these earnest efforts proved wholly ineffectual in checking outrage or in promoting peace. Mr. Gladstone had been elected for a specific purpose. 'He was the Minister who alone was capable to cope with those long and enduring evils that had tortured and tormented the civilisation of England. The right hon. gentleman [had] persuaded the people

[1] *Hansard*, vol. cxcix. p. 1818.

of England that, with regard to Irish politics, he was in possession of the philosopher's stone. Under his influence, and at his instance, we have legalised confiscation, consecrated sacrilege, and condoned treason.'[1] And, as the result of all his labours, Ireland was more disturbed than she had been since 1852.

Disturbance began immediately after the Bill which suspended the Habeas Corpus Act was allowed to lapse: it was encouraged by the reprehensible language of certain Irish newspapers, which had the indecency to advocate a policy of assassination,[2] and it was attended with a lamentable increase of agrarian crime. No fewer than eight, or perhaps nine, persons were murdered in Ireland in 1869; and no one doubted that the whole of these crimes were agrarian murders. In seven out of these nine cases, no evidence was forthcoming which enabled the authorities to put any persons on their trial. In addition to these grave and serious crimes, 16 persons had been fired at; shots had been fired into 6 dwelling houses, and there had been 26 cases of aggravated assault, 18 incendiary fires, 171 cases of administering unlawful oaths, and 480 cases of threatening letters. It was perhaps inevitable that this sad category of crime should have been specially serious in the closing months of the year; for the long winter night shelters the criminal whom the long summer day reveals. But it was impossible to ignore the conclusion, that neither the passing of the Irish Church Act in 1869, nor the promise of the Irish Land Bill in 1870, had terminated agrarian outrage. The last state of that unhappy country was worse than the first.[3]

Conscious of their own good intentions, and anxious to try the effects of their own conciliatory remedies,

[1] This famous passage is from Mr. Disraeli's speech in 1871. *Hansard*, vol. cciv. p. 1007.

[2] Cf. *ibid.*, vol. cc. p. 100, and p. 793.

[3] See Mr. Chichester Fortescue's account, *ibid.*, p. 81, and Lord Dufferin's speech, *ibid.*, p. 788.

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the members of the Cabinet hesitated, at the commencement of the Session of 1870, to propose those measures of repression to which most governments are only too ready to resort. They contented themselves with advising the Queen to say, in her message to Parliament, that the recent extension of agrarian crime in several parts of Ireland had filled her with painful concern; but to add, that she placed her main reliance for the removal of such evils on the permanent operation of wise and necessary changes in the law. Her Majesty, however, was at the same time advised to declare that she should not hesitate to recommend the adoption of special provisions, should they appear to be required by the paramount interest of peace and order.[1]

Unhappily, the Queen's reliance on the permanent operation of wise reforms did not diminish the number of outrages. There had been 767 agrarian offences in 1869. There were no fewer than 267 in January, and 271 in February, 1870. The majority of these offences consisted in the despatch or posting of threatening notices; but, among them, were included some specially barbarous murders or attempts at murder; and, as usual, the Government failed to procure evidence enabling them to put any persons on their trial for the commission of these grave crimes.[2]

The Peace Preservation Bill of 1870.

Slowly, therefore, and reluctantly, the Cabinet came to the conclusion, that exceptional disorders required an exceptional remedy; and that the time had come for reinforcing the Executive with fresh powers. On the first parliamentary night, which succeeded the second reading of the Land Bill, the Government announced in both Houses its intention of, at once, introducing a measure for the repression of disorder. Rejecting the extreme remedy of suspending the Habeas Corpus Act, it fell back on some provisions, which it borrowed from

[1] *Hansard*, vol. cxcix. pp. 5, 6. [2] *Ibid.*, vol. cc. p. 84.

previous legislation. The first part of the Bill prohibited the use of arms or revolvers by any person not having a special licence for the purpose; restricted their sale, and authorised the police to search houses at night, where it was suspected that they were concealed; the second part of the Bill empowered magistrates, in districts specially proclaimed, to order the arrest of persons out at night under suspicious circumstances; the third part of it authorised the Lord Lieutenant, after due warning, to seize any newspaper, with its machinery and plant, containing seditious or treasonable matter. Other clauses, scattered through the Bill, enabled the Court of Queen's Bench, at the instance of the Attorney-General, to change the venue; subjected recusant witnesses to punishment, and provided for the arrest and examination before a magistrate of any stranger sojourning or wandering in a proclaimed district.[1] These provisions may have been necessary, but they were undoubtedly severe. It is difficult to imagine any circumstances in which they would have been tolerated in Great Britain; and they form a melancholy commentary on the desire of their authors to introduce a new and improved system of government into Ireland. Severe, however, as they were, they were accepted without much hesitation by the British Parliament. The second reading of the Bill was carried in the House of Commons by a majority almost as large as that which had supported the second reading of the Land Bill.[2] Even the Irish were only able to muster fifteen members (including the tellers) to resist the proposal.

[1] For the Bill, *Hansard*, vol. cc. p. 81, and see also p. 788.

[2] The second reading of the Land Bill was carried by 442 votes to 11. The second reading of the Peace Preservation Bill was carried by 425 votes to 13. *Ibid.*, p. 511. The following Irish members, Messrs. Callan, D'Arcy, Digby, Heron, Sir John Gray, and Sir P. O'Brien, were in the minority on both occasions. The men, who thought the Land Bill did not go far enough, were those who considered that the Peace Preservation Bill went too far.

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The discussions on the Peace Preservation Bill occupied time; the House of Commons was not able to resume its deliberations on the Land Bill till towards the close of March; and Mr. Gladstone, with two months of the Session already gone, felt it necessary to make a serious demand on the time of the House, by asking for morning sittings, to be specially devoted to the consideration of the Land Bill, on the Tuesdays and Fridays before Easter.[1] Such a proposal, involving, as it did, some strain on those members whose time was most fully occupied, and interfering with the projects and plans of private members, was not altogether popular. But, even with the help of these new rules, the Land Bill did not pass through all its stages in the Commons till the end of May. Though amended in many of its details, it still preserved its characteristic features. The primary objects of the Bill, said Lord Granville in moving its second reading in the Lords, were to give tenants, disturbed by their landlords, compensation for the loss which they sustained in being forced to quit their holdings; and to secure to tenants quitting their holdings, whether disturbed by their landlords or not, compensation for improvements made by them or their predecessors in title. In Ulster, however, and in any part of Ireland where a custom similar to that of Ulster was recognised, a tenant, claiming under the custom, would be debarred from making any claim under the Bill. In the rest of Ireland, the tenant would receive the security which the Bill proposed to give him.[2]

The Land Bill in the Lords.

It did not, however, require Lord Granville's persuasive eloquence to recommend the Bill to the Lords.

[1] *Hansard*, vol. cc. p. 992.

[2] *Ibid.*, vol. ccii. p. 11. Lord Granville's singularly clearly statement of this Bill as it reached the Lords was, I understand, made from a brief prepared by Sir H. (now Lord) Thring; and is valuable, therefore, as the explanation of the skilled lawyer, on whom the task of drafting the Bill had fallen.

The general election of 1868 had done its work; and the House, which had rejected the mild measure of reform, proposed to it by Lord Derby as Lord Stanley in 1845, and the fuller measure, which had been suggested by the Conservative Government of 1852, and adopted by the Coalition Government of Lord Aberdeen, did not even venture to divide on the second reading.[1] In committee, the Lords, perhaps, naturally, endeavoured to make the Bill a little more favourable for landlords by confining the payment of the highest scale of compensation to the very smallest tenancies;[2] by declaring that, where a landlord had spent money on his estate, any increased rent which he exacted should be assumed, in absence of evidence to the contrary, to be due to the improvements he had made;[3] by insisting that claims for compensation for improvements should be established by evidence;[4] by providing that the grant of a twenty-one, instead of a thirty-one, years' lease should debar the tenant from claiming compensation for disturbance;[5] and that the tenant of a 50*l.* instead of a 100*l.* farm should be considered as too independent to require the protection of the Act.[6] But these alterations, important as they were, proved changes on which the Lords were unable to insist. Conciliated to some extent by the acceptance of other amendments of less significance, they deferred in the main to the views of the Commons in most respects;[7] Mr. Gladstone had the wisdom to meet the Lords halfway on a point on which the two Houses were still divided in opinion;[8] and the great measure which, for

The Bill becomes law.

[1] *Hansard*, vol. ccii. p. 381.

[2] Under the Bill, tenants under 10*l.* a year were to receive seven years' rent, tenants under 30*l.* five years' rent, as compensation on disturbance. See *supra*, p. 381 and *note*. The Duke of Richmond carried an amendment giving tenants under 4*l.* seven years' rent as compensation, and making proportionate reductions in the rest of the scale. *Ibid.*, vol. ccii. pp. 759, 767.

[3] *Ibid.*, pp. 768–772.

[4] *Ibid.*, pp. 967–988.

[5] *Ibid.*, pp. 875–882.

[6] *Ibid.*, pp. 882–889.

[7] *Ibid.*, vol. cciii. pp. 331–339.

[8] The Lords had inserted a

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good or for evil, constituted a revolution in the land laws of Ireland, became law.

If the legislation of 1869 and 1870 had been confined to the passing of the two great remedial Acts intended to establish peace in Ireland, it would deserve to be recorded in history with the legislation which distinguished the Government of Lord Grey, after the passing of the Reform Act, and the legislation which Sir Robert Peel introduced between 1842 and 1846. But, at the same time, and in the same Sessions, the Government of Mr. Gladstone found time to deal with other matters of almost equal importance. They were adopting, for the first time, the principle of the ballot; they were introducing large reforms into military and naval administration and finance; and they were dealing with education in every branch, from the university to the village school. As, however, university reform was only completed in 1871, and the ballot was only adopted in parliamentary elections in 1872, it will be convenient to defer the history of these matters to another chapter. Here it will be simpler to confine the narrative to the reform of elementary education, and to the military, naval, and financial policy of the Administration.

Education.

Educational reform was attracting universal attention at the time of the formation of Mr. Gladstone's Ministry. Royal commissions had been investigating the abuses which had crept into the administration of the universities, the great public schools, and the numerous endowed schools in every part of the country, as well as the defects of the elementary schools. The evidence, which these inquiries had collected, had created a general impression that the nation was not obtaining all the advantages which it was possible to derive from

provision enabling a landlord to register improvements as made by himself, and by so doing to deprive the tenant of any right to compensation for such improvements. For Mr. Gladstone's speech advising the Commons to yield on this point, *Hansard*, vol. cciii. p. 661.

the vast sums which had been devoted to educational purposes by the pious founders of previous ages; and that funds, which had originally been intended for the good of all classes, had been gradually diverted for the use of children whose parents were in comparatively easy circumstances, and had been employed for the exclusive advantage of the Established Church. It followed that educational reformers had two objects to secure: (1) the greater efficiency of the schools, and the better use of their funds; (2) the opening of endowments to citizens who did not profess the faith established by law. The second of these objects was one which the Liberals were as anxious to promote, as the Conservatives were determined to resist; but in securing the first of them, the best men of both parties in the State could work together. Thus it happened that the Bill, which initiated the reform of the great public schools, was carried in 1868 by a statesman, who had held three times high office under Lord Derby; while the Bill, which regulated the future administration of endowed schools throughout the country, was carried by a Minister who was just commencing official life under Mr. Gladstone.[1]

If the leading men on both sides of the Houses of Parliament were co-operating in the task of improving the educational institutions of the country, no such co-operation was possible in the second object of the reformers. For the Conservatives instinctively felt that it was their duty to defend the position of the Established Church, whose monopoly the Liberals were determined to dispute. The completeness of the attack increased the zeal of the defence. The Church was

The attack on the Church of England.

[1] Mr. Spencer Walpole, after resigning office in 1867, was asked by his colleagues to retain the charge of the Public Schools Bill, which he carried in 1868. *Hansard*, vol. cxc. p. 634, &c. The Bill for the reform of the endowed schools was carried by Mr. W. E. Forster in 1869. See *ibid.*, vol. cxciv. p. 113; cf. Wemyss Reid, *Life of Forster*, pp. 244, 251.

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being assailed all along the line. The passing of the Irish Church Act in 1869 had been followed by a motion in 1870 for the disestablishment of the English Church in Wales;[1] the abolition of compulsory Church rates in 1868 had sharpened the demand for allowing Dissenting ministers to officiate in churchyards at the funerals of Nonconformists.[2] Even the passage of the Public Schools Act had led to a proposal for an address to the Queen, praying 'her to be pleased to order that in the five statutes for determining and establishing the constitution of the new governing bodies of Shrewsbury, Winchester, Harrow, Charterhouse, and Rugby Schools, the words requiring membership of the Church of England as a qualification in the case of persons elected or nominated members of the governing bodies may be omitted.'[3] The Church, therefore, felt that it was not exposed to a mere solitary attack; it had to meet an assault delivered against its entire position; and weak as many of its outposts were, indefensible as they ultimately proved, it disliked to abandon them, because their loss would inevitably bring the enemy nearer to the citadel.

The difficulty, which this state of things engendered, affected the proposals for the reform of the universities and the extension of elementary education. In the case of the universities, the Liberals displayed more anxiety to open all the advantages of the universities to Nonconformists, than to increase the efficiency of these institutions. In the case of the elementary schools, the universal desire to extend the area of education was imperilled by the rival views of those who stood outside and inside the pale of the Church. Outside that pale,

[1] For that motion, see *Hansard*, vol. cci. p. 1274.

[2] Mr. Disraeli, in opposing a Burials Bill in 1863, said, 'I cannot disconnect it from that systematic attack on the Church of England which, Session after Session, we have had to encounter.' *Ibid.*, vol. clxx. p. 166.

[3] For a debate on the proposed address, *ibid.*, vol. cci. p. 176.

men, with the full courage of their opinions, declared that the State had nothing to do with religion, but that it should confine its efforts to providing a thoroughly efficient secular education for all classes. Inside the pale, men, on the contrary, who had faith in their own convictions, professed that they would rather have no education at all, than that education should be divorced from religion. 'What I want, you know,' said Mr. Tulliver, in perhaps the most delightful of George Eliot's novels, 'is to give Tom a good eddication.' But, while the Liberals, like Mr. Tulliver, would have added, 'an eddication as 'll be a bread to him,' the Conservatives wanted 'an eddication as 'll take him to church.'

Elementary education.

The advocates of religious education had one great advantage. They, or their forerunners, had made exertions and sacrifices in the cause at a time when the masses of the people had proved indifferent or negligent. Long before Mr. Brougham, in the closing years of George III.'s reign, had instituted the exhaustive investigations which first revealed the educational deficiencies of the country, they had founded and extended schools of their own. They had replied to the exertions of the Nonconformists, who had founded the British and Foreign Bible Society, by forming and liberally supporting the National Society. And the just man, however much he may regret the importation of religion into the question of education, must acknowledge that education in the nineteenth century owed something to religious rivalry.

For the greater part of that century, indeed, education almost exclusively depended on the exertions of religious people. The Low Churchmen and Nonconformists, who supported the British and Foreign Bible Society, and the High or old-fashioned Churchmen and their congregations, who supported the National Society, were practically the only persons in the nation who

The position of the Church.

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were actively interested in founding and maintaining elementary schools. As the State confined itself to the assistance of local effort, it followed that the whole of the elementary schools were provided by the Church, or by the adherents of some faith. As Churchmen were more numerous and more wealthy than the members of any other denomination, it equally followed that the Church obtained and secured throughout large tracts of England a monopoly of education.

Educational deficiencies.

It was, however, gradually becoming plain that the voluntary contributions of a sect, however liberal its members might be, could not provide for the education of a people. In 1869, it was estimated that there were 4,300,000 children in need of education; that of these 1,300,000 were in State-aided schools; that 1,000,000 were in other schools, which received no grant, which submitted to no inspection, and which, there was reason to believe, were utterly inefficient; while the remaining 2,000,000 were not at school at all. And, having regard to the system in force, there was more room for surprise at what had been done, than at what remained undone. For the education of the children in State-aided schools cost 1,600,000*l.* a year; and of this sum one-third was, roughly speaking, supplied by the State, one-third by the fees of the children, and one-third by the voluntary contributions of some 200,000 people. The possibility of maintaining the schools virtually depended on the continuance of these subscriptions;[1] and thus a burden, which ought to have been equitably distributed among all the householders of the nation, was undertaken by a small minority of the people.

The effect of the Revised Code, moreover, which Mr. Lowe had initiated, was to throw an increased burden on the subscribers to voluntary schools. Mr.

[1] See Craik, *The State and Education*, p. 85. Some very interesting statistics will be found in Mr. Bruce's speech in moving the education vote in 1865. *Hansard*, vol. clxxix. p. 1153.

Lowe had declared that, if education could not be efficient, it should at any rate be cheap; and the severe test which the Code applied led to a continuous reduction in the grant. The expenditure on education, supplied by Parliament, fell from 813,442*l.*[1] in 1861, to 774,000*l.* in 1862, and to 636,000*l.* in 1865. The deficiency could only be met by an increase in subscriptions. In some places, indeed, an attempt was made to stop the shrinkage in the grant by presenting more children for examination, and by making the salaries of the teachers dependent on the grants they earned. But these remedies proved unsatisfactory. The teachers were discouraged by the first of them; and the children were unduly pressed in consequence of the second.

The effects of the Revised Code.

Whatever merits, therefore, the Revised Code might possess, it was obviously limiting the resources available for conducting the work of elementary education. Fifty years before, such a result would not have excited much alarm. In the early years of the nineteenth century, a great many people secretly believed that the education of the poor was a mistake. Education, so it was seriously argued, unfitted them for the work to which God would in all probability 'be pleased to call them.' But, in the last half of the nineteenth century, only a small minority of the population adhered to this melancholy opinion. So far from being a disqualification, education was almost universally recognised as increasing a man's capacity. It was at last admitted that, in the struggle for existence, the man who knew most, not the man who knew least, was the more likely to succeed.

Forced forward by public opinion, the Conservative

[1] Sir H. Craik says from 842,119*l.* *The State and Education*, p. 75. I have preferred to follow the figures in the statistical abstract. The figures include (*a*) the cost of administration in London, (*b*) the cost of inspection, (*c*) the cost of training colleges.

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Ministry in 1867 took a fresh step in advance. It determined to make the grants a little more liberal; and to encourage, while doing so, the teaching of other things than reading, writing, and arithmetic—the subjects which were still familiarly spoken of as the Three Rs.[1] The minute of 1867 had, at any rate, the effect of devoting a little more public money to the purpose of education. The expenditure under the education vote again rose, till it reached at the beginning of 1870 the high-water mark of 1861, from which it had receded after the issue of the Revised Code.

The views of educational reformers.

In the meanwhile, men out of Parliament, while expressing serious discontent at the slow progress of affairs, were differing as to the remedy which it was desirable to apply to it. The more Conservative of the people, and the clergy generally, wished to extend and improve the existing machinery; and to supply educational deficiencies by voluntary effort, strengthened and encouraged by State aid; the Liberals and the Nonconformists saw, on the contrary, that voluntary effort alone could never overtake the arrears of work which had still to be done, and were demanding 'a general system of compulsory national education, supported by a national rate.' The rival remedies were advocated by rival associations: the Education League and the Education Union. They were even represented by parliamentary proposals; the Duke of Marlborough, as President of the Council, introducing a measure in 1868, and Mr. Bruce, who had been Vice-President of the

[1] This minute was dated the 20th of February, 1867. It was partly promoted by a deputation which waited on the Council Office about poor schools. Mr. J. R. Green, the historian, in writing of the deputation, said, 'Conceive a Minister of Education who didn't know the very rudiments of the matter, a Vice-President who had to ask us for information supplied from his own office.' *Letters*, p. 171. Mr. Henry Corry, however, had the satisfaction of carrying the small reform of 1867 before he was promoted, on the reconstruction of the Ministry, to higher office, of which, let it be hoped, he had more knowledge.

Council in the previous Administration, a permissive rating Bill in the same year.[1]

It was thus becoming plain that the question of elementary education was forcing itself to the front. The Queen herself, indeed, had been advised, in opening Parliament, in November 1867, to speak of it as requiring serious attention, and had commanded her Legislature to approach it with a full appreciation of its vital importance, and of its acknowledged difficulty.[2] Except, however, for the abortive measure of the Duke of Marlborough, no steps were taken by her advisers to deal with the subject in either 1868 or 1869; and it was only at the commencement of 1870 that Parliament was again informed, in the singularly ungraceful English which characterises so frequently the Speech from the Throne, that 'a Bill had been prepared for the enlargement, on a comprehensive scale, of the means of national education.'

Even this language hardly reassured the persons who, year after year, had waited, hoping against hope, for an adequate Bill. Mr. Bright, years before, had said, 'You cannot get twenty waggons at once through Temple Bar.' And the legislative programme of 1870 was so ample, or, as some people thought, so excessive, that there did not seem much reasonable chance of the Legislature being able to digest the greater portion of the fare set before it. The Minister, however, who, as Vice-President of the Council, was primarily responsible for advising the Cabinet on educational matters, was a man who had been for some time profoundly impressed with the deficiencies under which the country was labouring, and sincerely convinced as to the nature of the remedies which should be applied to them. In the previous autumn he had laid before the Cabinet

[1] *Hansard*, vol. cxc. p. 1816, and vol. cxci. p. 105; cf. Craik, *The State and Education*, p. 84 *seq.*

[2] *Hansard*, vol. cxc. p. 5.

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The outline of Mr. Forster's proposal.

a memorandum, in which he had explained that the two objects, at which reformers should aim, were the provision (1) of good schools throughout the country; (2) of the necessary machinery for compelling parents to send their children to school. The first of these objects he proposed to effect by dividing the country into educational districts, and by making each district responsible to the central government for the elementary education of its inhabitants. The second of them he desired to secure through the agency of officials, appointed locally, whose duty it should be to warn, and, if necessary, to summon before the magistrates, any parents who neglected to send their children to school.[1]

In carrying out his plan, Mr. Forster proposed to supplement, rather than to supersede, the existing educational machinery. When a district was already adequately provided with a good school, he did not contemplate interference provided that (i) the school was open to all children whose parents desired to avail themselves of it; (ii.) religious instruction was strictly controlled by a conscience clause, exempting any children, whose parents objected to it, from attendance; and (iii) it was given either at the commencement or the conclusion of school hours. If, however, as unhappily was usually the case, the district was unprovided with adequate school accommodation, the town council in the town, the vestry in the rural parish, was to appoint a school board, and the board was to have the power of levying rates out of which it was to be at liberty either to assist existing schools or to establish schools of its own. When a school board established its own school, it was to decide the course of religious instruction to be given at it, subject to the same conditions as to a conscience clause which was to apply to all schools.

[1] Wemyss Reid, *Life of Forster*, pp. 255–259.

The school board, moreover, was to have power to frame by-laws requiring the compulsory attendance at school of all children who had not passed a qualifying standard.[1]

The scheme, which was thus propounded, and which was introduced into the House of Commons, at the commencement of the Session of 1870, constituted a great advance on anything which had preceded it. Hitherto, indeed, elementary education had grown up in a fashion which was peculiarly English. The Statute-book had no more recognised the elementary school or the elementary school teacher, than the existence of the Cabinet or the office of Prime Minister. The whole system of elementary education had been built up by voluntary effort, and by orders in council. In Mr. Forster's hands this vast educational machinery was for the first time to receive the recognition of the Legislature; but it was to be recognised and assisted, and not to be subverted or reformed. The defects in the building were to be repaired, its foundations were to be enlarged; but the style of its architecture was, as far as possible, to be maintained; the intentions of its founders were, as far as possible, to be respected.

This determination, on the part of the Minister, to work on existing lines, contributed to the measure elements both of strength and of weakness: of strength, because it reassured many timid people, who disliked the notion of legislative interference in their parochial concerns; of weakness, because it failed to satisfy the views of really zealous educational reformers, or to allay the opposition of Nonconformists who feared that religious education, conducted by a board appointed by the council of a town, or the vestry of a parish, would in

[1] Mr. Forster's speech in introducing the Education Bill is in *Hansard*, vol. cxcix. p. 438; cf. Wemyss Reid's *Life of Forster*, p. 263; and Sir H. Craik, *The State and Education*, p. 91.

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the vast majority of cases necessarily mean education in the tenets of the Church of England. Educational reformers complained that the whole scheme was too tender to the existing schools; that it gave their managers too long a period of grace in which they should have the opportunity of putting their house in order; that it did not make attendance compulsory, either universally or by law; and that it did not even open the new schools, which it was intended should be provided by the ratepayers, free of all cost to the children. To these objections, which were made by reformers of every denomination, the Nonconformists added a complaint peculiarly their own. They declared that the proposal that the school board should be at liberty to determine the religious instruction to be given at its schools would introduce religious differences into every board meeting, and would infallibly, in the great majority of cases, reinforce the already preponderating power of the Established Church.[1]

Favourably, then, as the Bill was in the first instance received, every day's delay increased the opposition to it. And this opposition was particularly damaging to the Ministry. For it came not from their political opponents; it proceeded from their usual supporters. At last, on the motion for the second reading of the bill, Mr. Dixon, who was the president of the Education League, and who sat with Mr. Bright as his colleague for Birmingham, asked the House to affirm that no Bill would be satisfactory 'which leaves the question of religious instruction in schools supported by public funds and rates to be determined by local authorities.'[2] Mr. Dixon had thus raised in a concrete shape a religious question which was destined to agitate

Mr. Dixon's motion.

[1] See, for example, Mr. Dixon's speech, *Hansard*, vol. cxcix. p. 1919; and Sir H. Craik, *The State and Education*, p. 93.

[2] *Hansard*, vol. cxcix. p. 1930.

England, at recurring intervals, for the next thirty-three years.

The amendment, in its actual words, covered a very large ground. As school boards, under Mr. Forster's scheme, were to have power to assist denominational schools out of the rates, as well as to provide schools of their own, it might be construed as affirming that the local authority should have no power to determine the form which religious instruction should take in any denominational school so assisted. And, in moving his resolution, Mr. Dixon made it plain[1] that his object was to provide that 'all rate-aided schools should be unsectarian, and that all other elementary schools should have the religious teaching separately given.' Even, however, among Mr. Dixon's own friends, there was some difference of opinion as to what unsectarian teaching should mean. All of them objected to the teaching of any catechism, dogma, or tenet in any rate-supported school. Some of them, pushing their arguments to a logical extreme, wished the teaching to be purely secular, and to exclude even the reading of the Bible from the school curriculum. Others of them hesitated to deprive the poor of access to the book, which contains—from a secular standpoint—the best examples of English literature to which the poor have access; or which even men of culture can study. A large number of Mr. Dixon's friends, as well as Mr. Dixon himself, were in favour of the Bible being read with the simple provision that, in deference to the wishes of Roman Catholics, it should be read either at the conclusion or at the commencement of school hours. And this difference of opinion was reflected in their

[1] *Hansard*, vol. cxcix. p. 1927. Mr. Dixon, in another part of his speech, defined the meaning which he attached to the word 'unsectarian.' 'The difference between an unsectarian and a secular system appeared to be this—that in both you would exclude all Christian dogmas, but in an unsectarian system you would not have to exclude all Christian precepts.' *Ibid.*, p. 1923.

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language. At a great meeting of Welsh Nonconformists, for example, it was resolved that 'national education must be free, secular, unsectarian, and compulsory;' and it was frankly admitted that the two words 'secular and unsectarian' had been inserted as a compromise, because they respectively represented the views of those who merely objected to religious formulas, as well as of those who wished to exclude the Bible itself, and all religion, from the elementary school.[1]

Mr. Gladstone's concessions.

Thus, as the days wore on, differences of opinion revealed themselves among the ordinary supporters of the Government; and, before the debate on the second reading reached its conclusion, Mr. Gladstone, speaking with all the authority attaching to his high office, found himself constrained to indicate that favourable consideration would be given to the suggestions which had been made during the course of the debate.[2] In accordance with this pledge, Mr. Forster placed some amendments on the notice paper, increasing the stringency of the conscience clause, introducing the ballot, and prohibiting plural voting in the election of school boards.[3] But these concessions did not satisfy the critics of the Bill; and, in committee, Mr. Gladstone found it necessary to announce some further alterations which the Government were prepared to make. The chief of these were: (1) the insertion of a provision that the new school boards should have no power to contribute out of the rates to the support of a voluntary school: a provision which was partly tempered by an arrangement under which a rather larger portion of the cost of all schools was to be transferred to the Exchequer;[4] and (2) the adoption of an amendment, suggested by Mr. Cowper Temple, that in board schools, or schools established by means of local rates, 'no

[1] *Hansard*, vol. cxcix. p. 1936.
[2] *Ibid.*, vol. cc. p. 300.
[3] *Ibid.*, vol. cci. p. 1495.
[4] *Ibid.*, vol. ccii. p. 280.

catechism, or religious formulary, which is distinctive of any particular denomination [should] be taught.'[1] These new alterations unquestionably removed two of the chief blots which the Nonconformists had detected in the Bill. In the shape, in which the Bill had been originally introduced, it had contemplated three classes of schools: (1) Denominational schools assisted by the rates; (2) Board schools provided by the ratepayers; (3) Denominational schools receiving no assistance from the rates. Under Mr. Gladstone's amendment the first of these classes disappeared; and the schools were grouped into two classes: (1) Denominational schools dependent on voluntary effort for any deficiencies in the Parliamentary grant, and (2) Board schools, which had the rates to fall back upon for any deficit which they might incur. Again, as the Bill had been originally introduced, each district had been free to regulate the religious instruction to be given at its schools. As the Bill had been recast by Mr. Gladstone, no distinctive religious teaching was to be given at any rate-provided school.

The dissatisfaction of the Nonconformists,

Large as these alterations were, they did not satisfy Nonconformist England. The point, at which Nonconformists had from the first been aiming, was the supersession of the denominational by the secular school. They contended that a denominational system was inherently unjust to those who did not conform to the Church, and that it was no longer tolerable when voluntary effort was unable to provide the large sums required for a comprehensive system of education. They regarded even the adoption of Mr. Cowper Temple's amendment as a matter of trifling importance; for denominational training could be supplied without the introduction either of catechism or of other formulary. Mr. Gladstone's concessions did not remove these objections. The increase of the grant, by providing

[1] *Hansard*, vol. ccii. pp. 275–281.

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denominational schools with increased funds, gave them a new life, a new lease of existence. The Nonconformists, therefore, decided on again joining issue with the Government; and, on the motion for going into committee, they proposed (i) that the grants to existing denominational schools should not be increased; (ii) that, in any national system of education, attendance should be everywhere compulsory; and (iii) that religious instruction should be supplied by voluntary effort, and not out of public funds.[1] The Ministry, however, stood to its opinions. The mass of its followers yielded to the discipline of a great party; the Opposition rallied in support of the Minister who was doing so much to preserve denominational education; and the Nonconformists were defeated by a majority of seven votes to one.[2]

who are defeated.

On two other points, material alterations were made in the Bill. The Government consented, on the motion of a metropolitan member, to substitute one school board for London for the many school boards which would have been chosen by the various local authorities in London.[3] It further consented to entrust the election of school boards to the ratepayers, instead of leaving the choice to town councils and vestries.[4] One other clause in the Bill deserves further notice. By the 25th clause, school boards were enabled to pay in denominational schools the fees of parents who, though not paupers, were unable to pay them. This provision hardly excited at the time the indignation which it ultimately provoked; indeed, it was described as 'the smallest ditch in which two great political parties ever engaged in civil war.' Yet it was plain

[1] *Hansard*, vol. ccii. p. 518.
[2] By 421 votes to 60. *Ibid.*, p. 949.
[3] *Ibid.*, pp. 1419, 1420.
[4] This proposal, so far as the larger towns were concerned, was defeated in committee by 150 votes to 145. *Ibid.*, p. 1414. But the Government, warned by the close division, gave way on the report. *Ibid.*, vol. cciii. p. 498.

that it enabled a sectarian school board to subsidise a denominational school to an appreciable extent. Thus it was, as Mr. Gladstone's biographer has admitted, 'a real error, and it made no bad flag for an assault upon a scheme of error.'[1]

The changes, which were made in the Bill, had the effect of conciliating to a certain extent the views of those who had originally opposed it. The democratic element of popular election was agreeable to extreme Liberals. But the Bill, in its final shape, was admittedly a compromise. It did not institute school boards throughout the length and breadth of the land: it did not substitute a national for a denominational system of education: it did not make the attendance of children at school universally compulsory: it did not make education secular. It added, to the great advantages which the Church had already secured from the wealth of its supporters, and, it is fair to add, the exertions of its disciples, the further benefit of a greatly increased grant. While nominally awarding equal treatment to the Nonconformist, the Roman Catholic, and the Churchman, it practically gave a preponderating advantage to the religion which comprised the wealthier portions of the population.

In arranging this compromise, the members of the Cabinet were, no doubt, partly influenced by their own predilections. The Prime Minister was himself an ardent adherent of the Church of England, and the Vice-President of the Council was strongly opposed to the separation of education from religion.[2] These two men were, in consequence, able to carry a Bill which was much more acceptable to their Conservative opponents and to the Church, than to their own supporters and Nonconformist England. In their defence,

[1] Morley's *Life of Gladstone*, vol. ii. p. 309.

[2] Wemyss Reid, *Life of Forster*, p. 272.

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however, it is right to add, that the compromise which they adopted was one which commended itself to the great masses of the people. Though, in some large towns, the Bill was received with dislike—in Mr. Forster's own constituency he was rewarded with a vote of censure[1]—its provisions on the whole were accepted with satisfaction. The people approved the retention of some kind of religious teaching; they disliked the notion of excluding the Bible from the school curriculum; they did not even object to giving new life to the denominational schools of the Church of England, whose existence had the effect of diminishing the demands on the ratepayers. The minority, comprised in Nonconformist England, may have been bitterly opposed to the Bill; but the majority, who were not Nonconformists, approved its provisions.

The Bill becomes law.

Moreover, amidst the controversy which the Bill provoked, the great educational advance, which it represented, could not be lost sight of. In 1870, when the Education Bill was introduced, there were less than 9,000 schools in England, accommodating less than 2,000,000 children, and attended on an average by 1,250,000 scholars. Twenty years afterwards, there were nearly 20,000 schools, accommodating 5,500,000 scholars, and attended on an average by nearly 4,000,000 children. In the presence of such figures as these, the controversies of 1870 shrink into comparative insignificance. It might have been a better thing if the Act of 1870 had been founded on lines more capable of being logically defended, and if a little more regard had been paid to the wishes of Nonconformists, and a little less consideration shown to the views of the Church. But the great work, which the Act did, should shield its author from the reproach that he failed to do more. For the first time, he opened the elementary school to

[1] Wemyss Reid, *Life of Forster*, p. 286.

every child in the kingdom. Those, who realise what education has done, and is doing, will best appreciate the significance of this result.[1]

These three great measures of reform—the disestablishment of the Irish Church, the reconstruction of the Irish land laws, and the provision of universal education—would, if they had stood alone, have illustrated the history of any administration, and illuminated the annals of any Parliament; but, while the Legislature was occupied with these reforms, it was simultaneously busy with other matters. Many of these were only brought to a successful issue in a later Session, and will be more conveniently dealt with in later chapters. Before the present chapter closes, it may be useful to mention the great administrative and fiscal reforms which were in progress during the two years with which it has been concerned.

The army and navy estimates.

Throughout the period covered by the Administration of Lord Palmerston, a struggle had been going on between the rival advocates of expenditure and economy. Lord Palmerston's own influence had been instrumental in raising the military and naval expenditure of the country from 22,500,000*l.* in 1858 to more than 31,000,000*l.* in 1860-61.[2] But the reaction which inevitably follows action, the gradual decay of Lord

[1] I should be sorry to exaggerate the effects of education; but I should like to add the following figures.

ENGLAND AND WALES.

| Year | Children at School | Paupers in receipt of Relief | Convictions |
|---|---|---|---|
| 1850 | 197,578 | 920,543 | 20,537 |
| 1860 | 830,971 | 851,020 | 12,068 |
| 1870 | 1,255,083 | 1,079,391 | 12,953 |
| 1880 | 2,750,916 | 837,940 | 11,214 |
| 1890 | 3,717,917 | 787,545 | 11,974 |
| 1900 | 4,666,130 | 797,630 | 8,157 |

It does not, of course, follow that the decrease of pauperism, and the still greater decrease of crime, were due to the spread of education alone; but I believe that the increase of education was one of the many, perhaps even the chief of the many, causes which produced these results.

[2] The exact sums were 22,510,301*l.* and 31,345,564*l.*

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Palmerston's vigour, and the insistence of Mr. Gladstone, reinforced, it is fair to add, by Mr. Disraeli's counsel, produced a contrary result; and the military and naval expenditure of the country gradually and continuously fell to less than 25,000,000*l.* in 1865–6.[1] The retirement, in 1866, of so trusty and watchful an economist as Mr. Gladstone, the laxer administration which prevailed under Mr. Disraeli, and the outbreak of the Abyssinian war, all tended to swell the national balance sheet; and in the year 1868–9 the expenditure on the army and navy had again reached the sum at which it had stood eight years before.[2] With the return of Mr. Gladstone to power, it was certain that expenditure would again be curtailed. More than any other statesman of the time, he was convinced that the way of safety lay through economy and not extravagance; he realised that the prosperity of the nation in peace, its capacity in war, were to be secured by accumulating and not by dissipating its resources.

The movement for retrenchment and reform.

In any case, therefore, the formation of Mr. Gladstone's Government would have probably led to a period of retrenchment. But, in 1869, economy was the order of the day. The members of Mr. Disraeli's Cabinet, alarmed at the consequences of their own policy, and at the prospects of a shrinking revenue, had themselves decided to meet the wishes of the country by effecting large reductions in the estimates. But economy was not the only object at which the people, or those people who thought, were aiming. The events of the short war of 1866 had withdrawn a veil from their eyes, and had thrown grave doubt on the wisdom or perspicacity of their political and military leaders. The country, which they had been taught to neglect, had suddenly revealed herself as the most powerful in Central

[1] 24,829,067*l.*

[2] 31,366,545*l.* This sum, however, included 5,000,000*l.* on account of the cost of the Abyssinian war.

Europe. She was visibly challenging the supremacy which Napoleon III. was supposed to have secured. The dullest Englishman could hardly retain his apprehensions of a French invasion, when he saw France herself perturbed by the appearance of a new power on her eastern flank. And the rise of Prussia had not merely removed the bugbear of French invasion, and emphasised the incapacity of the best English statesmen to forecast events; it had also thrown discredit on the judgment of military men. An army, which was composed of soldiers enlisted only for short periods of service in the ranks, had proved superior to the highly disciplined battalions of the Austrian Empire; and people were naturally inquiring whether this country should cling to traditions which the experiences of the battle-field had shown to be delusive. Thus, at the outset of Mr. Gladstone's Administration, a demand was arising not merely for retrenchment, but for administrative reform. The country was beginning to realise that economy and efficiency are twin sisters, whom it is dangerous to separate.

A recognition of this fact probably influenced Mr. Gladstone in forming his Cabinet. He placed at the head of the War Office a gentleman, Mr. Cardwell, whose extraction and whose career bore some resemblance to his own. He entrusted the British navy to Mr. Childers, who had passed most of his time, after leaving Oxford, in Australia, and who, in a comparatively short life in Parliament, had gained more notice as an economist than as an administrator. Mr. Childers and Mr. Cardwell, at once, reduced the estimates for these two great services by nearly 2,500,000*l.*[1] The reduction

[1] The estimates for the two years, 1868–69 and 1869–70, were:

| | 1868-69 | 1869-70 | Decrease |
|---|---|---|---|
| Army | £15,456,000 | £14,230,000 | £1,226,000 |
| Navy | 11,157,000 | 9,997,000 | 1,160,000 |
| | £26,613,000 | £24,227,000 | £2,386,000 |

*Hansard*, vol. cxci. p. 1160; vol. cxcv. p. 36.

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was adequate to meet the demand of the economists; but the Ministers accompanied retrenchment with reforms, which met the demand of reformers.

Mr. Childers at the Admiralty.

Mr. Childers, to take the case of the navy first, effected retrenchment by concentration: concentration of responsibility, concentration of establishments, concentration of force. He concentrated responsibility by a readjustment of the duties of the Board of Admiralty. He concentrated establishments in London by bringing the *disjecta membra* of the Admiralty as far as possible to Whitehall; he concentrated establishments in the provinces by abolishing the minor dockyards at Woolwich and Deptford, and by foreshadowing the application of the same principle to the victualling yards and naval hospitals. He concentrated force by reducing the strength of squadrons in distant stations, and increasing the strength of the fleet nearer home. In addition, he swept out of the service large numbers of redundant officers, and instituted the policy of keeping the ships at sea for much longer periods than had previously been customary.[1]

In many of these great and significant changes, Mr. Childers merely gave effect to a policy which had previously been recommended. The reduction in the number of dockyards, by closing Woolwich, Deptford, and Pembroke, had been unanimously suggested by a select committee, which had inquired into the subject in 1864, and had been supported by Mr. Childers himself in debate;[2] the policy of reducing our distant squadrons, and concentrating our naval forces where they were most required, had been foreshadowed by Mr. Childers himself in a debate on the naval estimates in 1867, and had been partly adopted by his predecessor in

[1] For Mr. Childers's speech, *Hansard*, vol. cxciv. pp. 863–900.

[2] For the Report of the Select Committee, *Parl. Papers*, 1864, vol. viii. p. 75. See especially p. vii. of the Committee's Report. For Mr. Childers's support of it in 1867, *Hansard*, vol. clxxxv. pp. 637–642.

office.[1] It was, therefore, no sudden or unconsidered reform which Mr. Childers undertook to accomplish. It was his privilege to carry out alterations which had already been proposed. Yet his merit is none the less on this account. It is not customary to detract from Sir Robert Peel's reputation because he gave effect to a policy which had been foreshadowed by Mr. Deacon Hume; and Mr. Childers should lose none of the credit which attaches to the reforms of 1869, because some of them had been anticipated in debates of Parliament or in reports of select committees.

There was, indeed, another and perhaps more serious criticism which could be applied to Mr. Childers's policy. He probably concentrated too many reforms in a single scheme. Just as Lord Palmerston killed panic by the unpopularity of the expenditure which he sanctioned to appease it, so Mr. Childers killed economy by the unpopularity of the retrenchments which he effected. There was hardly a class in the nation, which had not some representatives who felt the hardship of the new reforms. The naval officers, who were retired on half-pay; the clerks in the Admiralty, who were superannuated as redundant; the labourers in the condemned dockyards, who were discharged from their employment; the tradesmen, who had been dependent on the expenditure of the labourers—all these classes suffered from the effect of Mr. Childers's reforms. It was said in the House of Commons, in 1870, that 'the evictions at the dockyards among the labourers and artisans had been of a more grievous nature than any evictions which had taken place in Ireland;' and that '5,000 homes had been desolated.'[2] Even the most economical of men might hesitate to approve the sudden inauguration of a change which could be responsible for such a result.

[1] *Hansard*, vol. clxxxvi. pp. 331 *seq.*, and cf. p. 344.
[2] *Ibid.*, vol. cci. p. 1651.

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Mr. Cardwell at the War Office.

Three days after Mr. Childers proposed the navy estimates of 1869, it fell to Mr. Cardwell's lot to bring forward the army estimates. If reform were necessary in the navy, its necessity was tenfold in the army. The administration of the army was defective; its organisation imperfect; its composition faulty. It was Mr. Cardwell's good fortune, while he held office, to supply much that was deficient, to supplement much that was incomplete, and to reform much that was objectionable. In 1869, however, after two months' experience in office, he could hardly attempt to deal with all the details of a complicated subject; and he confined himself, in the first instance, to changes sufficient to satisfy the prevalent demand for economical administration.

The army, when Mr. Cardwell assumed the seals of the War Office, was divided into two portions. One, which was serving in India, and which consisted of nearly 100,000 men, was paid for out of the revenue of that great territory. The other, which amounted to 137,000 men, was a charge on the taxpayers of the United Kingdom. Of the force of 137,000, which was paid for by the British taxpayer, some 87,000 were serving at home, and some 50,000 were scattered through the colonies. In the case of some of these colonies—Malta and Gibraltar for example—such a dispersion of force was unavoidable; for possessions, chiefly useful for strategic purposes, had necessarily to be held by adequate force. But, in the case of the great autonomous possessions in the southern and western hemispheres, the countries which are colonies not merely in name but in fact, this dispersion of force was simply injurious. The troops, which it was possible to station in them, were numerically too weak to deal with a serious emergency; and their presence taught the colonies to rely on the mother country instead of trusting to themselves.

So far back as 1861, a select committee of the House of Commons had recommended an alteration in this system, with the direct object of reducing the burden of the British taxpayer, and of generating a spirit of self-reliance in the colonies; and, even in the administration of Lord Palmerston, something had been done by the Duke of Newcastle and Mr. Cardwell himself to give effect to this recommendation. Troops were withdrawn from Australia, New Zealand, and from other colonies.[1] But the circumstances of the American Civil War had prevented the application of the same principle to Canada. The Canadian garrison had been strengthened in the acute crisis which followed the arbitrary arrest of Messrs. Mason and Slidell on the Trent;[2] and successive Ministries, both while the Civil War lasted, and when it terminated, had not ventured to reduce it to its old proportions. It is due to the Conservative Ministry of 1866 to add that, before it left office, it contemplated a considerable retrenchment. Mr. Cardwell decided on pushing reduction much farther than his predecessors had intended, and on reducing the Canadian garrison from some 16,000 to some 6,000 men.[3] It was objected, at the time, by those, whose chief business was criticism, that, in effecting this large reduction, Mr. Cardwell was going a little too far;[4] and, as a matter of fact, when, in the following year, large parties of Fenians from the United States crossed the boundary into Canada, the Government found it necessary temporarily to suspend the recall of any troops who had not left the colony. But even then Ministers had the courage to re-affirm the principle which they had laid down.[5] The experience of the

[1] *Hansard*, vol. cxciv. pp. 1115, 1116. For the Report of the Select Committee of 1861, which is usually known as Mr. Arthur Mills's Committee, see *Parl. Papers*, 1861, vol. xiii. p. 69.

[2] *Supra*, pp. 42 *seq.*

[3] *Hansard*, vol. cxciv. p. 1117.

[4] *Ibid.*, p. 1142.

[5] 'With regard to the withdrawal of the troops from Canada, there is no change whatever in the policy

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Fenian raid showed that Mr. Cardwell was justified in predicting that Canada, with 30,000 or 40,000 armed men of her own, occupied a stronger and more independent position[1] than when the colony was held by a British garrison.

The reduction of the Canadian garrison, and the application of a similar policy elsewhere, enabled Mr. Cardwell to reduce by at least 11,000 men the number of troops in British pay, and, at the same time, to increase the strength of our army at home by more than 3,000. While, in other words, he effected a considerable saving for the taxpayer, he actually augmented the fighting power of the country. With great prudence, moreover, while recalling regiments from abroad, he did not reduce the number of regiments on the establishment. He decided, though at some increase of cost, on maintaining the cadres of all the battalions perfect; and on thus retaining the skeleton of an army which could be clothed, if necessity arose, with flesh and blood by adequate recruiting. But, if Mr. Cardwell thus strengthened the regular army, while decreasing its cost, he concurrently laid down the principle that the country must mainly depend for its defence on auxiliary troops. He maintained the militia at its full strength, and asked for means to improve the position of its officers; and he spoke of the volunteer force with a satisfaction and a generosity which his predecessors had not always displayed.[2] Two years later, when his opinion was fortified by the knowledge which he had

of Her Majesty's Government; but I yesterday morning requested the War Office and the Admiralty to issue orders suspending any direction for the recall of troops during the continuance of this Fenian Raid.' Lord Granville in *Hansard*, vol. cci. p. 1465.

[1] *Ibid.*, vol. cxciv. p. 1117. Sir C. Adderley (Lord Norton), writing to the *Times* in 1870, said: 'Every soldier withdrawn from Canada has been replaced by ten Canadian soldiers. . . . In New Zealand the certainty that one part of the nation would no longer fight the quarrels of another, brought peace, not disruption.' See the letter quoted, *ibid.*, p. 1162.

[2] *Ibid.*, pp. 1125–1127.

acquired in office from experience, Mr. Cardwell ventured on going much farther. He combined the regular and auxiliary forces 'in one organisation in connection with various territorial districts,' and he transferred the command of these forces from the lords-lieutenant of counties to the Crown.[1]

Mr. Cardwell's reforms in 1869 did not stop with the concentration of force and the more thorough appreciation of the reserve force. He had the good sense to observe that, so far as armaments were concerned, he was passing through a period of transition; and he had the courage to confine his 'demands on the liberality of Parliament to wants which were immediate, and to postpone everything that would bear postponement.'[2] This caution in purchasing arms, which a new invention might prove obsolete, enabled him to increase the large saving which the concentration of force had already allowed him to effect. Alone among the many men who held the seals of the War Office, during the last fifty years of the nineteenth century, he realised that efficiency is to be secured by economy and not by extravagance; and it is this fact which gives significance to his administration, and which constitutes him, devoid as he was of military training, the only administrator who has introduced reforms of the very first importance into military administration.

The introduction of short service.

In the great speech, in which he developed his initial military reforms, Mr. Cardwell indicated that the bent of his mind was already inclining to a shorter period of enlistment.[3] The surprising drama, which had been played out in Bohemia in 1866, had rudely dispelled the old military notions which had consecrated the veteran as the ideal soldier. Men of sense were gradually perceiving that, in a calling where

[1] See the late Sir H. Jenkyns's article in the *Manual of Military Law*, p. 207, and the 34 & 35 Vict., c. 86, Sect. 6.

[2] *Hansard*, vol. cxciv. p. 1134.

[3] *Ibid.*, p. 1122.

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activity was necessary, youth was preferable to age; and that short service might be attended with the further advantage that the men, who passed through the ranks, might be retained in a reserve, and made available, like the Prussian Landwehr, for any occasion of emergency.

Up to the middle of the nineteenth century, the men who joined the army were, as a general rule, enlisted for life. It mattered not to the military martinets who were responsible for the rule, that an engagement to serve for life in any civil capacity was void, as contrary to public policy; it mattered not that, in periods of war, it had been found absolutely necessary to dispense with the rule. 'After 1829 men were enlisted for life only, and this continued till 1847.'[1] It followed, as a matter of course, that in 1847 the army was full of old soldiers wholly unfit for military duties. When a regiment was ordered abroad for service in India or the colonies, it was only possible to send the younger men away. The older men, who were worn out, were kept at home.[2]

Decrepitude in the ranks, however, was only the least evil which resulted from the system. No man, who respected himself, would commit himself to a servitude, terminable only in the grave. The army was consequently drawn from what the Duke of Wellington described as the scum of the earth. The man, who enlisted in the British army, was 'the most drunken and probably the worst man of the village or town in which he lived.'[3] Discipline was only enforced by punishments, which demoralised those who imposed and degraded those who inflicted them. The gradual reduction in the number and in the severity of military

[1] Sir H. Jenkyns in *Manual of Military Law*, p. 195, *note*.

[2] See Lord Wolseley in the *Reign of Queen Victoria*, p. 158.

[3] This is also the Duke of Wellington's opinion. *Ibid.*, p. 159.

floggings, in the years which followed the first Reform Act, has already been mentioned in another chapter of another work;[1] and in the years which preceded the Crimean War, flogging in the army was confined to a very narrow circle of offenders.[2] War, however, has a brutalising tendency on the human race; and perhaps, in consequence, the number of floggings both in the army and in the navy rapidly increased at this time. Five soldiers were flogged in 1858 for every man who had been flogged in 1847.[3]

Military punishments.

The drift of opinion, however, was already tending to improve the soldier's lot, and at any rate to discourage a recrudescence of cruelty. The Duke of Cambridge, the Commander-in-Chief, had the good sense to direct that every man entering the army should be placed in the first class, and that he should not be liable to corporal punishment until he had forfeited his position by repeated misconduct, and had been degraded into a second class.[4] The distinction, which the Duke thus endeavoured to draw between the man of good conduct and the confirmed reprobate, was unhappily not maintained. But the pressure of public opinion, both in Parliament and out of doors, did much to restrict the number of floggings. In 1867 a motion in the House of Commons for the abolition of floggings during peace was carried by a majority of one vote;[5] and flogging was thenceforward restricted to time of war.[6]

[1] *Hist. of England*, vol. iv. pp. 430, 431.

[2] Forty-two men were flogged in 1847, and forty-five in 1852. *Hansard*, vol. clvi. p. 1162.

[3] The number of men flogged in the army (only 45 in 1852) rose to 218 in 1858. The number of men flogged in the navy rose in the same period from 578 to 997. *Ibid.*, vol. clvi. p. 1163.

[4] The order was subsequently applied to the navy when Lord Clarence Paget was First Sea Lord. It was said of Lord Clarence that he had commanded the Princess Royal for two years, had brought her crew to a high state of discipline and efficiency, and had never flogged a man. *Ibid.*, p. 1165, and cf. vol. clx. p. 1654.

[5] *Ibid.*, vol. clxxxv. p. 1989.

[6] Lord Wolseley in *Reign of Queen Victoria*, vol. i. p. 172. Lord Wolseley says, 'I feel certain from recent experience that its abolition has raised the character and tone of our men. The British soldier can now

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The trend of opinion, which was leading to the gradual abolition of flogging as a punishment, was undoubtedly improving the lot of the common soldier. But the conditions of a soldier's life were still so unfavourable, the period of a soldier's service was so long, that the army continued to remain an unpopular profession. In 1847, indeed, partly in deference to the advice of Sir Charles Napier, and against the opinion of the Duke of Wellington, the first engagement of an infantry soldier had been reduced to twelve years; but the men were authorised, or rather encouraged, to re-engage, so as to make up a total service of twenty-one years, and a power was retained to continue them in the ranks even after twenty-one years of service.[1]

The Army Service Act of 1847.

Under this system, service with the colours practically lasted for, at least, twenty-one years. The soldier, after twelve years of service, ignorant of any trade or profession, found himself, as a rule, debarred from commencing life anew, and had no alternative but to re-engage for a further period of service, which the Government made more attractive by the promise of a pension at the end of it. The system, therefore, entailed two disadvantages. It retained, on the one hand, in the ranks, men who were much too old for the duties of a soldier's life: it imposed, on the other, a vast charge—a non-effective charge, as it was technically called—on the public for pensioning old soldiers. Mr. Cardwell, in 1870, decided on terminating this system. He retained the period of enlistment—twelve years: he even allowed, in certain conditions, the twelve-years man to re-engage. But he arranged that only a portion of the twelve years' service should be passed

Mr. Cardwell introduces short service.

look the soldiers of all other nations in the face, for he can be flogged no longer.'

[1] 10 & 11 Vict., cap. 37. *Reign of Queen Victoria*, vol. i. p. 162; Sir H. Jenkyns, *Manual of Military Law*, p. 195. The periods of engagement for the cavalry and artillery were rather longer; but they were assimilated to those in force in the infantry in 1867. 30 & 31 Vict., cap. 34.

with the colours. If the regiment, in which the recruit was enlisted, was going abroad, the man was required to serve for six years in the ranks. If, on the contrary, it was stationed at home, Mr. Cardwell hoped after three years' service to pass him into the reserve. In order to fit him for civil life, he proposed that opportunity should be afforded him, while serving with the colours, of learning a trade. He further proposed that, during his service in the reserve, he should receive some pay in return for the obligation which would attach to him of service in any great emergency.

By these changes, which, it is fair to state, had been persistently advocated by a competent administrator, Sir C. Trevelyan,[1] Mr. Cardwell secured three great results: (1) he substituted an army of young and active men for an army of stiff and sometimes infirm veterans; (2) he laid the foundations of an effective reserve, out of which the vacancies in attenuated regiments could be promptly filled in case of war; and (3) he relieved the taxpayers from a heavy non-effective charge for providing pensions for old soldiers.[2]

If these reforms had stood alone, Mr. Cardwell would be recollected as the most successful of war ministers. But he deserves, perhaps, still higher praise for the efforts which he made to remove the disadvantages which made the army unpopular. It was his avowed desire to make the army a profession which a young man of good character would wish to join, instead of one which every young man of good character thought it his duty to avoid. Before he assumed control in Pall Mall, the recruiting sergeant relied on the attractions of a high bounty to tempt men into the service;

Improved system of recruiting.

[1] See the tracts, *The British Army in 1868*, London 1868, and *A Popular or Standing Army*, London 1869. Mr. Cardwell's scheme, in some respects, went further than Sir Charles Trevelyan's proposal.

[2] For the details of the scheme, see Mr. Cardwell's speech in moving the army estimates in 1870. *Hansard*, vol. cxcix. p. 1175.

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his favourite recruiting ground was a public-house; his too frequent argument a pot of beer. The recruit, when he was caught, was treated like a prisoner: he was sent under escort to the depot, where he was enlisted, before perhaps he had recovered from the drunken stupor in which he had been engaged. Mr. Cardwell had the courage to abolish bounties, to abolish escorts, to keep the recruiting sergeant as far as possible out of public-houses, and to order the release of any man who had been enlisted when he was drunk, and the punishment of the non-commissioned officer who enlisted him. These reforms had been partly foreshadowed by the report of a royal commission which had inquired into the subject of recruiting. The modern reader is amazed that it should have required any royal commission to recommend them. Like other reforms, they did not remove, at once, all the opprobrium which attached to a soldier's career; but for the first time in British history, the army, which is supposed to rely on the voluntary enlistment of its recruits, was relieved from the reproach that it was kidnapping men into the service.[1] Mr. Cardwell, in fact, well and truly laid the foundations of other reforms, which have logically followed: they not only improved the soldier's lot, but they tended to raise the soldier's character. The soldier gradually became a better man in peace, without losing any of the qualities which had made him excellent in war; and, before the close of the nineteenth century, Lord Roberts was able to say of the men under his command in South Africa: 'They bore themselves like heroes on the battle-field, and like gentlemen on all other occasions.'

Firm and thoughtful administration, founded on common sense, was actually increasing the effective strength of the army and navy; and at the same time

[1] See Mr. Cardwell's own statement in *Hansard*, vol. cxcix. p. 1178.

reducing the cost of the services. The army and navy estimates had shown a reduction of nearly 2,400,000*l.* in 1869; they showed a reduction of a further 2,000,000*l.* in 1870. Economy in administration was reflected in the Budgets which the Chancellor of the Exchequer introduced, and which deserve some mention from the historian before this chapter is concluded.

Mr. Lowe at the Exchequer.

It was either the fault or the misfortune of a Conservative Ministry, that its tenure of office was associated with a heavy expenditure and a deficient revenue. Such, at any rate, was the characteristic of the Conservative Administration which held office under Lord Derby and Mr. Disraeli from the summer of 1866 to Christmas 1868. The expenditure of the country, which had been brought down by Mr. Gladstone's efforts to below 66,000,000*l.*, rose to nearly 75,000,000*l.*; and the year 1868–69 closed with a deficit, which exceeded 2,000,000*l.*[1]

The members of Mr. Disraeli's Cabinet had themselves been alarmed at this state of things, and, on the eve of leaving office, had recognised the necessity of retrenchment. The economies, which had thus been initiated, had, of course, been largely supplemented by the reforms introduced by Mr. Childers and Mr. Cardwell into the departments which they had been appointed to control. But no one expected that the resources at the Chancellor of the Exchequer's disposal, in the financial year 1869–70, would be more than adequate to meet the expenditure for which he had to provide. With great good fortune, he might be able to dispense with the necessity of imposing fresh taxes; but the most sanguine persons did not dare to anticipate a remission of taxation.

And this expectation was justified by the figures on

[1] See statistical abstracts. It is fair to recollect that some of the expenditure was due to the Abyssinian war.

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which Mr. Lowe relied, in explaining his Budget. The ordinary expenditure of the year, indeed, apart from the unpaid cost of the Abyssinian war, was only placed at 68,223,000*l.*; while the probable revenue—including a sixpenny income tax—was reckoned at 72,855,000*l.* But, as Mr. Lowe was compelled to provide an additional 3,600,000*l.* to meet the remaining cost of the Abyssinian campaign, and as 1,000,000*l.* of Exchequer bonds, which his predecessor had raised for the same purpose, was due for repayment, he was face to face with a demand for 4,600,000*l.* in excess of the ordinary expenditure; and this sum almost exactly represented the difference between the estimated revenue and the estimated expenditure of the year.[1]

If the Chancellorship of the Exchequer in 1869 had been held by an ordinary man, these figures would have almost bound him to inaction; but the Chancellorship of the Exchequer happened to be occupied by the statesman who, in Lord Palmerston's Administration, had thrown the country into the turmoil of agitation by the promulgation of a Revised Code, and who, in Lord Russell's Administration, had been the chief agent in procuring the defeat of the Reform Bill of 1866. A man of intellect, brimming over with the qualities and defects of genius, endowed with a capacity which every one of his contemporaries might have envied, and un-

[1] The revenue and expenditure of the year 1869-70 were estimated as follows:

| Revenue. | | Expenditure. | |
|---|---|---|---|
| Customs | £22,450,000 | Debt | £26,700,000 |
| Excise | 20,450,000 | Consol. Fund | 1,700,000 |
| Stamps | 9,350,000 | Army | 14,230,000 |
| Assessed Taxes | 3,550,000 | Navy | 9,997,000 |
| Income Tax | 8,800,000 | Miscellaneous | 9,530,000 |
| Post Office | 4,880,000 | Revenue Depts. | 4,976,000 |
| Crown Lands | 375,000 | Packets | 1,090,000 |
| Miscellaneous | 3,000,000 | | £68,223,000 |
| | £72,855,000 | Abyssinia | 4,600,000 |
| | | | £72,823,000 |

*Hansard*, vol. cxcv. pp. 366-370.

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mindful of difficulty, Mr. Lowe, though surrounded by 'every element of ill luck that can beset a Government,'[1] a declining revenue, and an insufficient balance, decided on creating a surplus for himself. The assessed taxes, as they were called—in other words, the land tax, the house tax, and the taxes on horses, carriages, men-servants, and other luxuries—were collected by a machinery, which had little but antiquity to recommend it. The Land Tax Commissioners, who were annually appointed by Act of Parliament, deputed some of their own number to act as assessors and collectors for each parish. As the taxpayer, in the case of the minor taxes, was supposed to pay on the maximum number of articles which he used in one year, the tax could not be assessed till after the year was concluded; so that it was actually the case that a tax might be 'incurred in one year, assessed in a second, and collected in a third.'[2] Mr. Lowe proposed to sweep away this amateur and complicated machinery, and to substitute for the minor assessed taxes the system of excise licences which had already been adopted with the best results in the case of dogs.[3] Each individual would be required, at the commencement of each year, to take out a licence for the carriages, horses, men-servants, or armorial bearings which he proposed to use in the year. This, however, was only one portion of the change which he contemplated. The inhabited house duty, the land tax, and even the income tax on inhabited houses, on owners and occupiers of land, and on the profits of trade, had hitherto been collected in quarterly or other instalments, and Mr. Lowe proposed that these taxes should in the future be all due on the 1st of January in each year, and payable as soon as possible afterwards.

The assessed taxes.

[1] *Hansard*, vol. cxcv. p. 373.
[2] *Ibid.*, p. 375.
[3] The annual tax on dogs had been converted into an excise licence in 1867. Mr. Lowe stated that 600,000 dogs had been brought by the excise under taxation who had previously evaded it. *Ibid.*, p. 374.

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By these changes Mr. Lowe hoped to secure—and, as a matter of fact, did secure—both economy in collection and convenience to the taxpayer. But, incidentally, he derived another advantage from the operation. By anticipating the collection of these various taxes, he swept into the Exchequer in the financial year 1869–70 a large sum of money which would not, in ordinary circumstances, have been received till the financial year 1870–71; and, by a stroke of his wand, if the metaphor be admissible, he converted a surplus of 32,000*l.* into a surplus of 3,382,000*l.*[1]

A surplus created,

and taxation remitted.

It would have been ungenerous, in any case, to criticise too closely the manner in which Mr. Lowe disposed of a surplus, which was the creation of his own ingenuity; but, as a matter of fact, not much criticism could be applied to the manner in which he proposed to dispose of the surplus which he made. He reduced and simplified the taxes on servants, and on horses and carriages whether kept for pleasure or for hire; he abolished the duty on fire insurance; he gave up a 1*d.* of the income tax; and he swept away the duty, which Sir Robert Peel had left for registration purposes, of 1*s.* a quarter on corn.[2]

In all these suggested reductions, Mr. Lowe had no difficulty in carrying the House of Commons with him. The only one of them which he thought it necessary to defend by elaborate argument was the abolition of the duty on corn. This tax, 'put on at first on the ground that it was no tax at all, [yielded] a revenue of 900,000*l.* a year.' So far, however, from being nominal, it

[1] The 3,382,000*l.* was made up as follows:

| | |
|---|---|
| Original Surplus . | £32,000 |
| Licences . . . . | 600,000 |
| Assessed Taxes . . | 950,000 |
| Income Tax . . . | 1,800,000 |
| | £3,382,000 |

*Hansard*, vol. cxcv. p. 384.

[2] These reductions cost 2,940,000*l.* and left Mr. Lowe with a surplus of 442,000*l.* *Ibid.*, vol. cxcv. p. 397. The fire insurance duty had been already simplified and reduced by Mr. Gladstone in 1864 and 1865. See *supra*, vol. i. p. 379.

amounted to a tax of more than 2 per cent. on wheat at the price at which wheat stood in 1869. It not merely raised the price of the 8,000,000 quarters of corn which, in 1869, were brought from abroad; it concurrently raised the price of the other 14,000,000 quarters which were grown in this country. 'It, therefore, inflicted on the subject a burden much more considerable than the benefit it conferred upon the revenue.' And this burden fell with chief severity on the very poorest of the population. Again, as a tax on a raw material, 'this 1*s.* a quarter has to bear the profit of the millers, the retailers, and all the different persons, through whose hands the corn passes before it reaches the poor man in the form of a loaf. In fact, in every way it violates all the principles of political economy, and the only thing that can be said for it is that it is a very little tax, though it yields a considerable sum of money to the Exchequer. Although, in the case of a small duty of this kind, we cannot trace the exact incidence or measure the exact amount of the mischief it does, surely there is such a thing as faith in politics as well as in religion; and if we cannot at this time of day trust enough to the doctrines of political economy and free trade, to believe that when you raise nearly 1,000,000*l.* sterling from the very poorest of your people you do an immense amount of mischief, we may as well burn our books, and [dismiss] economic science as altogether useless.'[1]

The Budget of 1870.

In 1869, however, the House of Commons was still unprepared to burn its economical treatises. One great constituency, indeed—Westminster—had just rejected the first economical writer of his age;[2] but the country, as a whole, was still accepting the conclusions of the writer with whose services Westminster was summarily dispensing. And, in the following year, Mr. Lowe was

[1] *Hansard*, vol. cxcv. pp. 386–388.

[2] Mr. John Stuart Mill had been defeated, at the general election of 1868, by Mr. W. H. Smith.

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able to drive the lesson home. He had the good fortune, at that time, to be in a position to tell a tale of great prosperity. The revenue, which, after the alterations of the Budget, he had placed at 73,515,000*l.*, had yielded no less than 75,334,000*l.*, 'being the largest revenue ever raised in this country, with the exception of the three last years of the French War.' It was recovering 'its old elasticity. One of the causes of that elasticity,' so Mr. Lowe went on to say, 'I will venture to state, is the great cheapness of the principal food of the people; that is, corn. Now, I am not going to take credit on that head for the abolition of the duty on corn; because it seems to me that the fall in the price of corn, which has been confirmed, indeed, since the abolition of the duty, commenced before that duty was taken off. But, from whatever cause it arises, the cheapness of corn, no doubt, has had a considerable share in giving elasticity to the revenue, by setting loose the money that would otherwise have been spent in buying the food of the people.' [1]

The disappearance of the last relic of protection.

The repeal of the 1*s.* duty on corn concludes a distinct period in the financial history of England; for the 1*s.* duty was the solitary survival of an abandoned system. It was the only remaining tax imposed on the import from abroad of a commodity largely produced in these islands: it was, therefore, the lingering remnant of the policy of protection. True, when it had been retained by Sir Robert Peel, it had been regarded by that great financier as a mere registration duty. Accustomed as he had been to the heavy duties which protection had devised, he regarded an impost of 1*s.* on corn as of no importance. And undoubtedly a trifling duty of this kind, equivalent to an addition of $\frac{1}{8}d.$ on the price of the 4-lb. loaf, was not attended with the injurious consequences of the heavier

[1] *Hansard*, vol. cc. pp. 1607, 1609, 1610.

duties which had been already swept away. Still, as far as it went, the 1*s.* duty contained, in itself, the chief objection which the free traders had urged to the policy of protection. Falling as it did on an article which was largely, or in 1846 chiefly, produced at home, it threw a much heavier burden on the taxpayer than the contribution which it brought into the Exchequer; for, as Mr. Lowe stated, it raised the price not only of the corn, imported from abroad, but of the much larger quantity of corn which, in the middle of the nineteenth century, was grown in these islands.

The results of protection and of free trade.

The policy of protection—without reckoning the years of war—had endured from 1815 to 1841. The policy of free trade had been substituted for it in the years which ranged from 1842 to 1869. But, during the first of these two periods, though the system of protection had been retained, the duties had been diminished from time to time; while in the last of them the policy of free trade had been only gradually introduced. Thus, the student has two periods of history, equal in length, before him; in one of which protection was the leading article in the financial creed, and in the other of which free trade was the object at which finance was aiming. It is worth while, on the disappearance of the last survival of the previous system, to indicate what was accomplished by protection and what ensued from free trade.

The system of protection was an elaborate one. It was intended to secure an advantage for the home producer over his foreign rival. It endeavoured to effect this result in four ways: 1st, by imposing heavy duties on foreign articles imported into this country; 2nd, by prohibiting the export of other articles, such as wool, machinery, and coal; 3rd, by paying bounties on the export of certain other articles manufactured in this country; and 4th, by retaliating on the foreigner,

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who imposed injurious duties on British produce. But, in this elaborate attempt to regulate trade, the Legislature recognised that some consideration was due to the outlying portions of the Empire. While, therefore, it imposed duties on the leading commodities of the colonies, it imposed much heavier duties on the corresponding commodities imported from foreign countries. In the same way, in its universal benevolence, it imposed heavier duties on articles imported in British bottoms than on the same articles imported in foreign vessels. Protection was in every way to be secured to the British merchant and the British producer, but a preference over the foreigner was to be given to the British colonist.

One of the chief evils of protection is that, when once introduced, its extension is almost inevitable. The country gentleman, who persuaded the Legislature to tax foreign corn, for the sake of increasing the value of his own produce, could not refuse his neighbour, who was interested in pasture, a similar protection on wool. The woollen manufacturer, who saw that a tax on the raw article which he used must increase the price of the commodity which he produced, easily persuaded Parliament to place a corresponding tax on the raw materials used in other textile trades, cotton, flax, and silk. While the linen and silk manufacturers, fearing that their power of competing with their foreign rivals would be destroyed by the increased price of silk and flax, contrived to obtain the payment of bounties on silk and linen goods exported from this country, the imposition of heavy duties on foreign silks or linens imported into this country, and even in some cases the actual prohibition of their importation.

At this moment, however, it is more pertinent to explain the results of this remarkable system, than to describe its nature. And first as to the export trade. In 1815, the declared value of the exports of British

and Irish produce and manufactures amounted to 51,632,000*l.*; in 1841 it remained at 51,634,000*l.*; in 1842 it sank to 47,381,000*l.*[1] It is fair to say that the prices of many commodities had fallen in the interval; but, when every allowance is made for this, the remarkable fact remains that, after twenty-seven years of protection, the value of the export trade in 1842 was lower than its value in 1815. In 1869, on the contrary, the declared value of the British and Irish produce exported had risen to almost exactly 189,000,000*l.* Twenty-seven years of free trade had increased our export trade by more than 300 per cent.

The real value of our import trade was not ascertained till 1854. It is not quite easy, therefore, to compare the growth of our imports in the two periods. But, in 1815, the official value of our imports was very nearly 33,000,000*l.*; while, in 1842, it exceeded 65,000,000*l.*[2] Twenty-seven years of protection had doubled the volume of our import trade. In 1869 the real value of our imports exceeded 295,000,000*l.* As the result of twenty-seven years of free trade, the real value of the imports was nearly five times as great as the official value of the imports twenty-seven years before.

If trade had increased far more rapidly under the new than the old system, wealth had also grown in the same proportion as trade. The income tax is not an exact measure of wealth, because the net of the tax-gatherer has enclosed a wider area at some periods than at others. But the income tax is a rough and ready way of assessing the incomes of the upper and middle classes of the people. Each penny of the income tax in 1815 produced about 600,000*l.* Each penny of the income tax produced in 1842 (when the

[1] The figures will be found in many places. See Porter's *Progress of the Nation*, pp. 361, 362.

[2] *Ibid.*, pp. 357, 358. The figures in Porter do not correspond exactly with those in the statistical abstracts. But they are sufficiently close for the purpose of the argument in the text.

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tax was reimposed) 800,000*l.* Twenty-seven years of protection had added 33 per cent. to the taxable income of the country. But in 1869 each penny of the income tax produced rather more than 1,500,000*l.* Twenty-seven years of free trade had, in other words, very nearly doubled the income liable to income duty.[1]

It is more difficult to gauge the precise effects of protection and free trade on the poor. But there are three facts on this subject which will probably seem conclusive. The first is the undoubted fact that, in 1842, no fewer than 1,429,000 persons were in receipt of relief in England and Wales, and that this number had fallen to 1,039,000 in 1869. The second is the equally undoubted fact that 31,000 persons were committed for trial in 1842, and that this number had fallen to 19,000 in 1869. The third is the existence of open and treasonable Chartism in 1842, and its virtual disappearance after the free trade measures of Sir Robert Peel and Lord John Russell had been passed.[2]

But it may be thought that these consequences, satisfactory as they are, were due to other causes than free trade; and there is little doubt that the vast extension of the railway system has done much to improve the condition of the poor. It should, however, be recollected that the construction of railways had begun long before 1842. More than 1,800 miles had been actually constructed and were in full work before Sir Robert Peel commenced the great financial reforms which have made his name immortal. If railways were, in other words, the chief cause of the improvement, their effect on the

[1] The yield in the year ending the 5th of April, 1815, was 14,545,000*l.*, and this sum divided by 24 (the rate was 2*s.* in the pound) gives a little more than 600,000*l.* for each penny. Dowell, *Hist. of Taxation*, vol. iii. p. 105.

[2] I have dealt in the text comparatively lightly with this great subject. But I have endeavoured in another work to lay stress on these statistics. *Hist. of England.* vol. vi. p. 386. In that work I express the opinion, which subsequent reading has in no respect shaken, that 'the wretchedness of the lower orders had been constantly increasing from 1815 to 1842, and that the wave of misery reached its summit in the course of that year.'

condition of the people should have been visible before 1842; and it will probably be found that, beneficial as the railways were, it was the cheapening of food and other commodities, in consequence of free trade, which enabled the people to take full advantage of them.

Such, at any rate, was the opinion which Mr. Lowe expressed in bringing forward the Budget of 1870. 'The cheapness of corn,' if it be permissible to repeat the passage, 'has had a considerable share in giving elasticity to the revenue, by setting loose the money that would otherwise have been spent in buying the food of the people.'

The Budget of 1870.

The Budget of 1870 had none of the sensational features which made the Budget of 1869 remarkable. The normal expenditure of the year, 1869–70, had been placed in the Budget of 1869 at 68,223,000*l.*; and it had only amounted to 67,564,000*l.* And, as the revenue had largely exceeded the estimate, the surplus had actually risen to 7,870,000*l.* Out of this surplus, Mr. Lowe had been enabled to liquidate the liabilities of the Abyssinian war, to reduce the debt, and to strengthen the Exchequer balances. The prosperity of the year which was gone, moreover, justified him in anticipating a similar result in the year which was just beginning; and Mr. Lowe accordingly estimated the income of 1870–71 at 71,450,000*l.*, the expenditure at 67,113,000*l.*, the surplus at 4,337,000*l.*[1]

[1] The income and expenditure of 1870–71 were placed by Mr. Lowe as follows:

| Revenue. | | Expenditure. | |
|---|---|---|---|
| Customs | £21,650,000 | Debt | £26,650,000 |
| Excise | 21,640,000 | Consol. Fund | 1,820,000 |
| Stamps | 8,700,000 | Army | 12,975,000 |
| Income Tax | 7,600,000 | Navy | 9,251,000 |
| Assessed Taxes | 2,850,000 | Civil Service | 9,990,000 |
| Post Office | 4,900,000 | Revenue Depts. | 4,960,000 |
| Telegraphs | 675,000 | Packets | 1,107,000 |
| Crown Lands | 385,000 | Telegraphs | 360,000 |
| Miscellaneous | 3,050,000 | | |
| | £71,450,000 | | £67,113,000 |

The shrinkage in the revenue was, of course, due to the facts that the

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This surplus Mr. Lowe proposed to increase by substituting a licence to carry firearms for the old assessed tax charged on persons who shot game; and, as he reckoned that the proceeds of the new licence would exceed the profits of the old tax by 150,000*l.*, he had practically 4,487,000*l.* to give away to the taxpayer. 190,000*l.* of this sum he devoted to the creation of some terminable annuities, into which he converted 7,000,000*l.* stock held by the National Debt Commissioners in trust for the post office savings banks. A further 83,000*l.* was applied to the abolition of a good many duties, which were vexatious to those who paid them, and brought comparatively little into the Exchequer. With the balance still available he proposed to reduce the rates of postage on printed matter at a cost of 50,000*l.*; to substitute a tax of 1 per cent. on the gross revenue of railways for the tax of 5 per cent. hitherto levied on the gross receipts from passenger traffic, other than the third-class 'parliamentary' traffic; to reduce the income-tax to 4*d.*, and the duties on sugar to one-half their previously existing rate.[1]

Remission of taxation in 1870.

These great changes absorbed a sum of 4,156,000*l.*, and left the Chancellor with a surplus of 331,000*l.* But they were not all carried in their integrity. Complaint was made that the abolition of hawkers' licences would tend to encourage vagrancy; and the Government undertook that each hawker should in future be required to have a licence issued by the chief constable of the

revenue of 1869-70 had been swelled by the large sums which had been collected in anticipation, that the fire insurance duty had been repealed, and the income tax reduced. The expenditure of the year had been increased by the provision for conducting the telegraph service under the Act of 1870. *Hansard*, vol. cxcix. pp. 1618-1623.

[1] The licences abolished were those required from foot hawkers, from paper makers, soap makers, and other manufacturers and dealers. The real changes of importance in the Budget were the reduction of the income tax by 1*d.*, at a cost of 1,250,000*l.*, and of the sugar duties to 6*s.* per cwt. for refined sugar, at a cost of 2,350,000*l.* *Ibid.*, vol. cc. p. 1644.

county.[1] Objection was taken to the proposal to tax the receipts[2] from goods carried by railways; and the Chancellor of the Exchequer was compelled to abandon the whole of that portion of his project. The country gentlemen, moreover, disliked the abolition of the licence to kill game, and eventually the licence was preserved; and the new tax on guns was reduced to ten shillings, while owners and occupiers of land were exempted from its operation.[3]

The Budget added to the reputation which the Ministry had already gained. In two short sessions, it had accomplished more than any Ministry had attempted for forty years. For good or for evil, it had disestablished the Irish Church: it had reformed the Irish land laws: it had made elementary education universal and compulsory: it had reduced the cost and increased the efficiency of both the army and the navy: it had introduced reforms into the collection of the revenue, which were both original and useful: it had swept away a third of the income tax, it had abolished the duty on corn, and had reduced the duties on sugar by one-half. Men there were, indeed, who regarded the activity of the new Government with dislike, and who thought that, in its appetite for reform, it was creating alarm among some classes and dissatisfaction among others. Churchmen were disposed to complain of its treatment of great corporate bodies. Nonconformists were concurrently declaring that, in its support of denominational schools, it was unduly favouring the Established Church. The classes, who had suffered from retrenchment, were grumbling at the severity with which the pruning knife had been used. Yet, amid the rumblings which portended a forthcoming storm, the Ministry still stood erect and immovable. Even

[1] *Hansard*, vol. cci. p. 1635.
[2] *Ibid.*, pp. 1628–1630.
[3] *Ibid.*, p. 1680, and vol. cciii. p. 854.

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Lord Palmerston, in the days of his highest popularity, had never attained the power which Mr. Gladstone was enjoying. Here, at last, was a Prime Minister, who was impressing his own personality on the policy of his Cabinet. Here, at last, was a Cabinet prepared to assert in office the principles for which it had contended in opposition. Here were men with the courage of their convictions: here were issues which it was worth the pains of a political career to support or oppose. Those who feared, and those who cheered, Mr. Gladstone were equally ready to attest the extent of his influence, the strength of his power. It might be said of him, as was said of Saul: in Parliament, there was no goodlier person than he; from his shoulders and upwards he was higher than any of the people.'

## CHAPTER XIII.

### THE FALL OF THE SECOND EMPIRE.



THE battle of Sadowa, and the arrangements which followed the battle, suddenly revealed to an astonished continent that the Kingdom of Prussia, which Western statesmen had hitherto disregarded, was strong in the possession of the finest army in the world, and of the most powerful statesman of his age. Count von Bismarck's resolution had triumphed over internal difficulties and external dangers. He had pursued his policy, with the persistence of a Strafford, in defiance of the opposition of his own Legislature; and he had gained his end by making the Emperor of the French the accomplice in his designs. The success, which established his own credit, ruined the reputation of Napoleon III. While the programme, with which Count von Bismarck had embarked on war, had been carried out in its integrity, the policy, which Napoleon had traced at its inception, was far from being fulfilled. Austria, so far from preserving her great position in Germany, had been extruded from the German Diet; the balance of power, so far from being maintained, had been largely affected by the aggrandisement of Prussia; and France, so far from seeing any equivalent addition to her territory, had nothing but the smooth phrases of Count von Bismarck and Herr von Goltz for consolation. The man who had risked everything had carried off all the prizes; the man who had submitted to everything had drawn only blanks.

The consequences of Sadowa.

Count von Bismarck and Napoleon III.

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Discouraged by the ill success, which had hitherto attended his diplomacy, Napoleon still relied on what he would perhaps have described as the good faith of his adversary. Dissuaded by M. de La Valette's reasoning from adopting M. Drouyn de Lhuys' advice, and from placing a *corps d'armée* on the Rhine, he had thenceforward hoped that Count von Bismarck would be impelled by gratitude to give what he might possibly have yielded to force. The Emperor, indeed, seems to have thought that the measure of the Count's gratitude would be proportionate to the measure of his own generosity, and had consequently allowed Prussia a free hand in annexing some 4,500,000 German people, instead of confining her to the slight rectification of boundaries to which, small as it was, M. Drouyn de Lhuys had demurred.[1] But, if the Emperor still relied on the generosity of a statesman who regarded generosity as a crime, M. Drouyn de Lhuys was under no similar delusion. He saw clearly enough that the concessions, which his master had rashly made to Herr von Goltz, had deprived him of his chief weapon. It was only reasonable to suppose that Count von Bismarck, when he wanted to receive much, would be ready to give much in return; it was equally reasonable to conclude that, when he had received all that he had required, his liberality would be exhausted.

The policy of M. Drouyn de Lhuys.

M. Drouyn de Lhuys, however, made a serious effort to restore the situation which the Emperor had rashly destroyed. Writing to Herr von Goltz on the 3rd of August, he recapitulated the assurances which had, from time to time, been given by Count von Bismarck, and on which the Emperor still relied. It was true—so he said—that Napoleon had admitted that, in consequence of her success, Prussia had a right to expect a large addition to her territory. But the Emperor

[1] *Supra*, p. 262.

had not overlooked the fact that the aggrandisement of Prussia would disturb the balance of power. Instead, however, of complicating the difficulties of the situation by prematurely raising the territorial questions which affected France, he had thought it better to reserve them for subsequent examination with the Cabinet of Berlin. The Prussian Government would recollect that, in every conversation on the subject, he had expressed his confident assurance that the Cabinet of Berlin would recognise the equity of compensating France by such additions to her territory as would increase her power of defence.[1] While expressing himself in these general terms to the Prussian Ambassador at Paris, M. Drouyn de Lhuys instructed the French Ambassador at Berlin to approach Count von Bismarck, and lay before him a formal proposal, embodied in a draft treaty, claiming for France the left bank of the Rhine up to, and including, the fortress of Mayence.[2]

His despatch of the 3rd of August, 1866.

This demand was, to say the least, injudicious. Before the war, Count von Bismarck had declared that he would rather disappear from politics than cede Mayence;[3] and, if this was his opinion before the war, he was not likely to be more yielding after it. The French Ambassador was so doubtful of the reception, which such a proposal would obtain, that he asked leave to come to Paris and discuss it with M. Drouyn de Lhuys. Unluckily for France, he did not obtain the permission which he required; and, as the compensation which France was demanding, compared with the territory which Prussia had acquired, was modest, he sent the draft of M. Drouyn de Lhuys' proposal to Count von Bismarck, and followed up his written communication by calling on the Prussian Minister. Count

[1] Rothan, *La Politique Française en 1866*, pp. 302–304.

[2] Benedetti, *Ma Mission en Prusse*, p. 171. De la Gorce, *Histoire du Second Empire*, vol. v. p. 54.

[3] Benedetti, *Ma Mission en Prusse*, p. 165; Rothan, *La Politique Française en 1866*, p. 342.

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von Bismarck subsequently declared, with some exaggeration, that M. Benedetti came into his room, carrying an ultimatum in his hand demanding the cession of Mayence, and threatening, in the event of a refusal, a declaration of war; and that he at once replied: 'Very well; we choose war.' But it seems tolerably certain that, if the interview began with threat and counter-threat, it terminated more amicably. If Count von Bismarck refused Mayence, he suggested that, in other directions, France might receive adequate and satisfactory compensation. Neither Count von Bismarck nor M. Benedetti has revealed how this was to be effected; but Count von Bismarck made it quite plain that France had to choose between friendship and war. He even said that a persistence in the French proposal would induce him, at once, to make terms with Austria, in order that all Germany might present a compact front to France. If France persisted in her demands, we shall—so the Prussian Minister declared—conclude, at any cost, a definite peace with Austria, and, in co-operation with the Austrian armies, move at once on your frontier. 'Let the Emperor understand what we are proposing, and that we cannot, and will not, yield an inch of German territory.' [1]

Count von Bismarck did not make the mistake, which the Emperor committed, of relying on words alone. He allowed the French proposal to leak out, and he had the dexterity to let it leak out in the columns of a French newspaper.[2] He sent a special ambassador to St. Petersburg, with orders to communicate to the Russian Government[3] the draft treaty which

[1] Rothan, *La Politique Française en 1866*, pp. 350–356, and *Ma Mission en Prusse*, pp. 177–191; but cf. the account in Ollivier, *L'Empire Libéral*, vol. viii. pp. 544–548, and De la Gorce, *Histoire du Second Empire*, vol. v. pp. 55, 56.

[2] *Le Siècle*, 10th of August, 1866; De la Gorce, *Histoire du Second Empire*, vol. v. p. 58.

[3] Count von Bismarck had the assurance to tell M. Benedetti that he had not given the draft treaty to General Manteuffel; but he could

M. Benedetti had handed to him, and to comment on this fresh evidence of French ambition.[1] He hurried up simultaneously reinforcements to the Rhine, and gave directions that the Prussian army should be placed on a footing for a fresh campaign. To these energetic measures, the sickly and vacillating Emperor at the Tuileries had nothing to oppose but fresh negotiations. Mayence was apparently unattainable; Prussian statesmen and Prussian journalists were, indeed, declaring that they would not yield an inch of Prussian territory. Might it not be possible to form a neutral state under the sovereignty of the King of Saxony or a prince of the Hohenzollern House, which might be interposed as a buffer between Prussia and France? The idea was not entirely new; it had been developed before the war, in the Imperial Council Chamber, by M. de Persigny.[2] It was resuscitated after the war by M. Drouyn de Lhuys; but, whatever chance of acceptance the suggestion might have had before Sadowa, it had no chance after the Prussian victory. The Prussian Government curtly replied that it had not asked for the intervention of France; that it had gained nothing, but, on the contrary, had lost much from it; and that France could not expect payment for her unseasonable services. This blunt reply confirmed the conviction, which M. Drouyn de Lhuys had already formed, that any hope of a policy of compensation must be abandoned: indeed, before it was actually received, on the 12th of August, 1866, he resigned his portfolio.[3]

not be sure that the King had not communicated the substance of it to him. *Ma Mission en Prusse*, p. 226.

[1] Rothan, *La Politique Française en 1866*, p. 360.

[2] *Mémoires de Persigny*, p. 329; and see M. Ollivier's criticism of this fantastic project in *L'Empire Libéral*, vol. viii. p. 178.

[3] Rothan, *La Politique Française en 1866*, pp. 364, 366. This curious negotiation was entrusted to an unofficial agent, M. Hansen. See his account of it in *Les Coulisses de la Diplomatie*, pp. 110–115. M. Drouyn de Lhuys ceased to be Foreign Minister 'in fact' on the 12th of August; but he remained Foreign Minister 'in name' till the 1st of September. De la Gorce, *Histoire du Second Empire*, vol. v. p. 73.

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M. Drouyn de Lhuys resigns.

M. Drouyn de Lhuys had reason enough for his resignation. His advice—that the Emperor should support his diplomacy by an armed demonstration—had been disregarded; and the demands of the Prussian Ambassador had been conceded by the Emperor behind his back. His policy had thus been paralysed by the action and the inaction of his master. With a scant generosity, which was unusual in him, Napoleon laid the blame on his Minister. Writing to M. de La Valette, whom he selected as M. Drouyn de Lhuys' successor, he said that M. Drouyn de Lhuys had conceived the idea of sending a draft treaty to Berlin. The draft, which ought to have been kept secret, had been published; and the newspapers were saying that the Rhenish Provinces had been refused by Prussia to France. The fact, however, was that, if France had insisted on M. Drouyn de Lhuys' policy, she would have had all Germany on her hands for the sake of a very small advantage. The true interest of France lay, not in obtaining an insignificant addition of territory, but in aiding Germany to work out her future in the way that was most favourable to the interests of France and those of Europe.[1]

Napoleon III. modifies his policy.

Inspired by these considerations, the Emperor, after consulting the Prussian Ambassador at Paris, initiated a new policy. Nothing more, it was decided, should be said about Mayence; but France should seek elsewhere for the compensation which she required. This compensation might be secured in two ways. First, it was evident that, as the Germanic Confederation had ceased to exist, Prussia had no longer any right to garrison, on behalf of the Confederation, the federal fortresses of Luxemburg, Mayence, Rastadt, and Ulm. These fortresses should revert to the Powers, in whose

[1] Rothan, *La Politique Française en 1866*, pp. 366, 367; cf. De la Gorce, *Histoire du Second Empire*, vol. v. p. 56.

territories they were situated; and, on this principle, Luxemburg should belong, in future, to France.[1] But, in addition to this fortress, the Emperor was disposed to contemplate, on some convenient opportunity, a more important addition of territory by the acquisition of Belgium. Misled, therefore, by the encouragement, which he had constantly received from Count von Bismarck, to look forward to annexation in directions where the French language was spoken, the Emperor considered that the Prussian Government should be asked to consent to two treaties: one public, and providing for the transfer of Luxemburg to France; the other private, establishing an offensive and defensive alliance between Prussia and France, and promising France Prussian aid in a French attack upon Belgium.[2] The Emperor was still clinging to the idea of compensation, or, as Count von Bismarck called it, 'the policy of *pourboires*;' but, as he could not obtain compensation from the strong, he determined to exact it from the weak. This time, Count von Bismarck, on receiving these new proposals, did not talk of war: he merely contented himself with declaring that it was impossible to cede any German territory. He persuaded M. Benedetti, moreover, that it would be more convenient to fuse the two drafts into one, and he encouraged him to prepare a new draft treaty. The famous draft, which was thus prepared in M. Benedetti's own handwriting, pledged France to recognise the acquisitions which Prussia had made; it pledged Prussia to facilitate the acquisition of Luxemburg by France; it pledged France to offer no opposition to a Federal union between the Confederation of Northern Germany and the States

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The draft Treaty of August.

[1] See the Emperor's letter of the 26th of August, 1866, to M. Rouher in Benedetti, *Ma Mission en Prusse*, p. 196.

[2] There seems to be little doubt of the accuracy of these facts, though M. Benedetti's own 'apology' is far from clear upon them. He confuses the policy of the 26th with that of the 6th of August.

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of Southern Germany; and it pledged Prussia, if the Emperor should be forced by circumstances to send an army into Belgium or to conquer that kingdom, to give armed assistance to France. It concluded by forming an offensive and defensive alliance between the two countries.[1]

There can be little doubt that the Emperor was in earnest when he made this discreditable proposal. Convinced that his people would not be satisfied if he had nothing but the failure of his foreign policy to show them; convinced also that he could obtain nothing from Prussia without risking a war, for which he was not prepared, he made up his mind to strengthen the military position of France by the acquisition of Luxemburg, and to add to her weight in Europe by the annexation of Belgium. His own admission, only a few weeks before, that there was nothing in the state of Belgium to justify his intervention, did not deter him from a project which was both cowardly and base. How far Count von Bismarck was in earnest in discussing the draft treaty, is more doubtful. There is good evidence, indeed, that he thought at the time that Napoleon, if he had not been 'a muddle-headed fellow,' would have seized Luxemburg. There is perhaps some justification for thinking that he would not have been sorry if France had attacked Belgium, for a French attack on Belgium would have almost certainly brought this country into the field; and it was a characteristic of the Count's foreign policy, which he applied in turn to France, Austria, and Russia, to divert the attention of troublesome neighbours from Germany, by embroiling them elsewhere.[2]

[1] Rothan, *La Politique Française en 1866*, pp. 383, 384; De la Gorce, *Histoire du Second Empire*, vol. v. pp. 68, 69; and cf. M. Ollivier, who calls the Belgian proposal an act of brigandage. *L'Empire Libéral*, vol. viii. p. 565.

[2] See Busch's *Bismarck*, vol. i. p. 288; cf. *ibid.*, p. 501.

Count von Bismarck, at any rate, was not sorry to have evidence, in the French Ambassador's own handwriting, of the unscrupulous nature of the Emperor's policy. He kept the draft carefully by him, to be used with crushing effect against Napoleon at a later time; but, for the moment, he allowed M. Benedetti to suppose that he was prepared to consider the proposal seriously. Every day, however, that passed, made the position of Prussia more strong, and that of France more weak; and Count von Bismarck was emboldened to tell M. Benedetti that the Emperor was suggesting the draft treaty with the object of embroiling the Prussian Government with England: he declined, in consequence, to commit himself to it; but, at the same time, he encouraged France to pursue the negotiations respecting Luxemburg. 'Let the annexation of Luxemburg,' he said, 'be an accomplished fact before the Reichstag meets,' and he would undertake to make Germany swallow the pill. For the present, however, worn out with his labours, he was going to procure rest at Varzin, and he must postpone any further discussion of these affairs until his return.[1]

The Emperor defends his policy in the circular of the 16th of September.

At every turn the Emperor had encountered failure. With characteristic assurance, he set himself to persuade his people that he had achieved success. In a circular issued from the French Foreign Office on the 16th of September, bearing the signature of M. de La Valette, but probably the joint production of the Emperor, M. de La Valette, and M. Rouher,[2] an attempt was made to prove that the events which had been accomplished, in opposition to the will of France, had strengthened the position of France in Europe. Under

[1] See Rothan, *La Politique Française en 1866*, pp. 380–406; and cf. *L'Affaire du Luxembourg*, p. 28 *seq.*

[2] De la Gorce, *Histoire du Second Empire*, vol. v. p. 76; cf. Hansen, *Les Coulisses de la Diplomatie*, p. 123.

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the old system, France had been surrounded by a girdle of iron, held by a confederation possessing 80,000,000 inhabitants, and controlled by the formidable league which was known to Europe as the Holy Alliance. Under the new system, the combination of the Northern Courts had been shattered, and each country was free to make its own alliances. France, under this system, was no longer overawed by a confederation of 80,000,000 people. On the contrary, with a population which would soon reach 40,000,000, she had only to reckon with a Germany of 37,000,000, divided into a northern and a southern organisation, an Austria of 35,000,000, an Italy of 26,000,000 people. How could France be troubled by so salutary a redistribution of European power? The tendency of continental nations to amalgamate, which had produced a united Italy, and was producing a united Germany, was possibly inspired by a providential forecast of the destinies of the world; for, while the old countries of Europe were slowly adding to their numbers, Russia and the United States would soon each be able to reckon on 100,000,000 inhabitants. In the presence of so mighty a development, the older nations could no longer afford to be broken into fragments. A prophetic instinct drove them to combine. In short, to this imperial philosopher everything was for the best, in the best of all possible worlds.

Yet the Emperor was far from feeling the optimism which he professed. Whatever success he might claim in his words, he could not conceal from himself the failure of his policy. One thing, indeed, he thought he had secured. By the terms of the treaty of Nikolsbourg, which had been confirmed at Prague, Prussia had a free hand north of the Main; but it had been expressly stipulated that 'the German States situated to the south of that river [should] have an independent

national existence.'[1] It is true that both the preliminary and the definitive treaty contemplated that these independent States should make their own arrangements with the powerful new confederation on the north; but the Emperor relied on the traditional jealousies of Northern and Southern Germany, and assumed that Germany south of the Main was permanently detached from the new confederation in the North.

The secret treaties between Prussia and the South German States.

As the autumn of 1866, however, wore on, disquieting rumours were circulated in the chancelleries of Europe that Southern Germany had passed under Prussian control; and, in the course of November, M. Rothan, who represented France at Frankfort as Consul-General, affirmed in an official despatch that secret treaties on the subject existed between Prussia and the various South German States. The Ministers of Würtemberg, of Bavaria, and of Baden, declined either to deny or to confirm these rumours. Whether they were true or not, the French Ambassador at Vienna, writing in February 1867, declared that the Ministers of these States were simply acting as Prussian functionaries.[2]

The fact was that, while Count von Bismarck had been playing with the French Ambassador at Berlin in the previous August, he had been busily forging the chain of iron, which he was determined to oppose to Eastern France. The demands, which the Emperor of the French was making for territorial compensation for France, were stimulating him to fresh efforts[3] for the formation of a still more powerful Germany; and, while outwardly and openly he was concluding treaties

[1] See the words of the treaty of Prague in *State Papers*, 1865-66, p. 1051, and compare them with the milder words of the treaty of Nikolsbourg, *ibid.*, p. 1029.

[2] De la Gorce, *Histoire du Second Empire*, vol. v. p. 157.

[3] See the striking reflections of Count Benedetti in *Ma Mission en Prusse*, pp. 251, 258.

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of peace with Bavaria, Würtemberg, and other powers —treaties intended for popular consumption—he was secretly arranging offensive and defensive alliances between Prussia and these States, under which they mutually agreed to guarantee to each other the integrity of their respective territories, bound themselves, in case of war, to put their whole military force at the disposal of one another, and assigned in that case the command-in-chief to the King of Prussia.[1] As the peace of Prague had expressly contemplated that the States of Southern Germany should be formed into a confederation, with power to make its own arrangements with Northern Germany, it was certain that the conclusion of these secret treaties was not in accordance with the intentions of the statesmen who negotiated this peace.[2] The secret treaties were, in fact, the price which these powers paid for the published treaties. Count von Bismarck consented to waive the terms which he originally exacted from the Southern German powers, as a penalty for their conduct during the war, on condition of their simultaneously pledging themselves to place their forces, in the event of war, at the disposal of Prussia.[3]

Disheartened by the knowledge that his astute adversary had welded the links of the chain, which it had been the special object of France to separate, the Emperor, late in the autumn, resumed the negotiation

[1] The treaty with Bavaria will be found in *State Papers*, 1865–66, p. 1043; the treaty with Baden, *ibid.*, p. 1037; that with Würtemburg, *ibid.*, p. 1191. All three are identic in language.

[2] M. Hansen goes so far as to say that 'le comte de Bismarck avait ouvertement violé le traité de paix par les conventions militaires entre la Prusse et les états de l'Allemagne du Sud,' p. 171. But I do not think it possible to say more than I have said in the text.

[3] See Rothan, *La Politique Française en 1866*, pp. 321–323; and cf. Rothan, *L'Affaire du Luxembourg*, p. 74. In the case of Bavaria, Count von Bismarck actually used the draft of the treaty with France about Belgium to convince the Bavarian Minister that he had nothing to expect from France, and that he had better throw in his lot with Prussia. Ollivier, *L'Empire Libéral*, vol. viii. p. 571.

in which he had met so many rebuffs in the summer. It was clear, indeed, that the objects at which the Emperor had originally aimed, were unattainable. Prussia had no intention of surrendering an inch of territory on the Rhine to satisfy French ambition, or to heal the wounds of French discontent; and Prussia had equally no intention of moving a man or a gun to facilitate a French attack on Belgium. The anomalous position of Luxemburg, however, which belonged to the King of Holland, and not to Holland, and which Prussia, as a member of the old German Confederation, had the right to garrison, but which it was very doubtful whether she had any right to hold now that the old Confederation had been dissolved, apparently supplied the very compensation which the Emperor required. Had not Count von Bismarck himself advised Napoleon III. to give effect to this policy? Had not he himself promised, if the Emperor had the courage of his opinions, to induce the Reichstag to accept the situation? Was there not a fair prospect that the Count might have the generosity to allow the French to acquire by purchase from the King of Holland the little territory of Luxemburg, to which the strength of its famous fortress gave an exceptional importance?

The Luxemburg question.

It so happened that the King of Holland himself afforded the Emperor an opportunity for opening the subject. The King was naturally anxious at the alteration in his own position from the strengthening of his powerful neighbour at Berlin. It was one thing to see Luxemburg occupied by a Prussian garrison when Prussia was only the second German nation; it was another to see a Prussian garrison in its fortress when Prussia had become the first power in Central Europe. But the King had a further reason for disquietude. The events of 1866 had brought a powerful Prussia to his very frontiers, and his ministers were already fearing

The King of Holland and Napoleon III.

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that Count von Bismarck might propose to them an alliance, which it would be dangerous to accept and difficult to refuse. What, in fact, would happen if Prussian ambition should choose to regard Holland as the natural prolongation of a united Germany, and should propose to the Dutch the sort of alliance which had been forced already on Bavaria and Baden? Animated by these fears, the Dutch ministers approached Napoleon, and asked him whether they could rely on French support in the event of a German attack.[1] This inquiry enabled the Emperor to unfold his policy. In a despatch to the Dutch Government, written at the end of February 1867, M. de Moustier, who had now succeeded to the French Foreign Office, developed the views of his master. The danger to Holland—so M. de Moustier argued—had its root in the treaties of 1815, which had authorised the introduction of a foreign garrison into Luxemburg. France could not doubt, however, that the events of 1866 had dissolved the old Germanic Confederation, and that, with its dissolution, the right of garrison had ceased. Prussia, indeed, which, the Emperor thought, was still anxious to remain on terms of cordiality with France, would probably be ready to withdraw from a position which was of no advantage to herself, and which was menacing to France. M. de Moustier went farther. The true solution of the situation would be found in the annexation of Luxemburg to France. That event would satisfy everybody. The Dutch would be glad to rid themselves of a dual government; Luxemburg would be relieved of all apprehensions of German annexation; and Prussia would be glad of an opportunity of conciliating France. The Emperor was so certain of this solution, that he undertook to conduct the negotiation at Berlin, and to remove any difficulty

M. de Moustier explains the Emperor's views to the Dutch Government.

[1] See De la Gorce, *Histoire du Second Empire*, vol. v. pp. 159, 160. Cf. Rothan, *L'Affaire du Luxembourg*, pp. 151 *seq.*

which might be raised in that capital. The King of Holland, moreover, was understood to be in want of money; and France would undertake to pay for the duchy which she desired to round off her territory.

For the first fortnight, the negotiation proceeded smoothly. The scruples of the King of Holland were overcome by the offer, which Napoleon made, to guarantee Luxemburg, and by the temptation which a pecuniary compensation for Luxemburg held out to him. And, as the negotiation proceeded smoothly at the Hague, there was no indication that its course would be interrupted at Berlin. Count von Bismarck apparently thought that the annexation of Luxemburg to France would get rid of inconvenient demands for the rectification of the Rhenish frontier, or the annexation of Belgium.[1] The King of Prussia, indeed, was a slave to duty,[2] and considered that his duty made it impossible for him to withdraw his troops from a fortress which had been entrusted to him for safe keeping by Europe. But, for once, Count von Bismarck seemed inclined to suppress and not to play his King. The negotiation was suffered to proceed; and, by the end of March, it was definitely arranged between Paris and the Hague, that Luxemburg should be united to France.[3] The Emperor might, at last, hope that he was likely to secure something to satisfy the aspirations of his subjects.

The Emperor was in sore need of a diplomatic success. While this negotiation was being secretly

[1] The negotiation respecting Belgium had received a curious quietus. While Count von Bismarck was discussing with M. Benedetti the possible acquisition of Belgium by France, Count Nothomb, the Belgian Minister at Berlin, was negotiating an alliance between the Count of Flanders and a Princess of the House of Hohenzollern. Count von Bismarck, indeed, professed that the marriage was no work of his; and that he had even warned the Prince of Hohenzollern that the stability of the Belgian throne was threatened. But the discovery of the negotiation ought to have opened the eyes of the infatuated ruler at Paris. Rothan, *L'Affaire du Luxembourg*, pp. 131–136.

[2] *Ibid.*, p. 119.

[3] De la Gorce, *Histoire du Second Empire*, vol. v. p. 167.

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The debate in the French Chamber on the Emperor's foreign policy.

conducted, a debate in the French Chamber had been the means of drawing attention to the failure of his diplomacy. M. Thiers had eloquently alluded to the consequences, disastrous to France, of the events of 1866. M. Rouher had been charged with the duty of replying to M. Thiers; and had attempted to prove that French intervention had stopped the advance of Prussia to Vienna; and that the division of the German Confederation into three sections had increased, instead of diminishing, the relative strength of the French Empire. Count von Bismarck, at once, trumped M. Rouher's card by producing the secret treaties of the previous August, whose existence had previously been suspected, but had not been acknowledged. M. Rouher's plausible defence of his master's policy crumbled into nothingness, when it was shown that, so far from Germany being split into three sections, the whole military power of Northern and Southern Germany was at the disposal of the King of Prussia. This new proof of the virtual predominance of Prussia naturally filled the King of Holland with consternation. At any rate, before finally committing himself to the cession of Luxemburg, he judged it expedient to communicate privately with Berlin. He was ready to agree to the transfer of Luxemburg to France; but he required, before doing so, an assurance that Prussia assented to the transfer;[1] he even hinted that he should require the consent of the powers who had signed the treaty of 1839. It was obvious that these conditions radically affected the probable result of the negotiation. The transaction was no longer to be conducted between France and Holland alone; it was to be formally authorised at Berlin; it was, perhaps, even to be formally ratified by the great powers of Europe.[2]

[1] De la Gorce, *Histoire du Second Empire*, vol. v, p. 168.

[2] Rothan, *L'Affaire du Luxembourg*, pp. 193–198.

If the Emperor had been wise, he would have withdrawn at this stage from a negotiation which could apparently bring him nothing but discredit. But he could not persuade himself to abandon the policy of compensation. As the King of Holland would not agree to the sale of Luxemburg without the consent of Prussia, the Emperor again addressed himself to Berlin; but he found that Count von Bismarck, while still professing his readiness to let the King of Holland dispose of his own territory, would not give an unqualified assent to a transaction which, if he were directly consulted upon it, he was bound, in the interests of Germany, to oppose. French diplomacy thus found itself involved in a vicious circle. At the Hague, the King was repeating that he would part with Luxemburg if Prussia were a consenting party. At Berlin, Count von Bismarck was declaring that, while he would not oppose the transfer, he could not consent to it.

The Luxemburg question assumes an acute phase.

In the meanwhile, every day that passed was making the transaction more difficult. Secretly as the negotiation had, in the first instance, been conducted, the secret, from its very nature, could not long be kept. The German army, the German press, the German Legislature, the German people, protested against the cession of a fortress which they regarded as a defence of Germany against France. Count von Bennigsen, the leader of the Liberal party in Germany, put a question to Count von Bismarck in the Chamber, which elicited a demonstration against yielding to France a position which was of importance for the defence of Germany; and the King of Holland, alarmed at the possible consequences of the transaction, at the beginning of April, definitely refused to sign the treaty of cession.[1]

There was no doubt that the policy of the Emperor had sustained a fresh rebuff. Before the war, he had

[1] Rothan, *L'Affaire du Luxembourg*, pp. 247, 249, 263.

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declared that one of his objects was to preserve the balance of power in Europe; and he had assured his subjects that none of the questions, affecting the interests of France, would be settled without her consent. Since the war, the balance of power had been altered, and France had been refused every rectification of her territory which she had considered necessary. Nothing, in fact, had come of the successive proposals which the Emperor had been tempted to make, except the shame of having made them. The Emperor, however, now authorised a radical change in his policy. He directed M. de Moustier to address a circular despatch to the powers which had signed the treaty of 1839, denying the right of Prussia to garrison Luxemburg. The right had been given to Prussia as a member of the German Confederation. It ceased, so M. de Moustier argued, when the Confederation was dissolved.[1]

The excitement in Germany.

If this despatch had been written a few months, or even a few weeks, before, it would perhaps have commanded assent. Count von Bismarck, aware that the dissolution of the old German Confederation had thrown doubts on the right of Prussia to maintain a garrison in Luxemburg, would almost certainly have grasped at a suggestion which was obviously more favourable to Prussia than the cession of Luxemburg to France. An arrangement, however, which he would have readily conceded in the previous December, was less practicable in April 1867. The temper of the German people and of the German army had been aroused. Confident in its proved efficiency, the army longed for an opportunity of measuring itself against France; it disliked the notion of conceding anything to a French demand; it talked of war; it desired war; it called for war.

Count von Bismarck, however, did not want war. Weak as the condition of the French army was in 1867,

[1] Rothan, *L'Affaire du Luxembourg*, pp. 271, 279.

he considered that Prussia required time before embarking on a fresh campaign. Every year's delay, so he calculated, would add 100,000 men to the strength of the armies which Germany would be able to place in the field; and he assumed, therefore, that Prussia had more to gain than France from a policy of waiting.[1] He was probably also influenced by the knowledge that the South German States, though they had been forced to ally themselves with Prussia, disliked the notion of a war for which they were unprepared, and in which, they thought, they would be exposed to the direct attack of France before a Prussian army was able to move to their assistance. On the other hand, the best informed French statesmen looked on a war with feelings of consternation. France, incredible as it seems, exhausted by her efforts in Mexico, had neither men nor material for a campaign; and Marshal Niel, her Minister of War, declared to his private friends that he would rather be cut in pieces than advise the Emperor to enter on a European war without allies.[2]

There was, moreover, another reason which tended to peace. The French, in the summer of 1867, were preparing to receive the nations of the world at a great exhibition which they were opening in Paris. The show of 1867 was intended to surpass the shows of 1851, 1855, and 1862. All France, all Paris, at any rate, was eagerly expecting a display, which was calculated to furnish the light-hearted French nation with a new amusement, and to pour a stream of gold into the pockets of Parisian tradesmen. But the success of the exhibition would obviously be destroyed by the outbreak of war. The stream of visitors to Paris and France would certainly be arrested by the clash of arms

[1] See, *inter alia*, *Bismarck, Reflections and Reminiscences*, vol. ii. p. 58.

[2] Rothan, *L'Affaire du Luxembourg*, p. 266.

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on the Rhine. From the Emperor on his throne, therefore, to the peasant in his cottage, all France in 1867 had a strong reason to preserve peace. For once, in the history of nations, public opinion, fascinated by the prospects of an exhibition, was opposed to war.

The attitude of England.

Both the Prussian Minister and the French Government, therefore, were prepared, in the beginning of April 1867, to seek some means of extricating themselves from the difficult position in which they were placed. Means were eventually found for doing so by the action of other powers, and specially of this country. News of the negotiation between France and Holland did not reach the British Foreign Office till March 1867. The Government of Prussia asked Lord Stanley, the Secretary of State, first, to dissuade the King of Holland from proceeding with the negotiation; and, second, what construction was put by the British Government upon the treaty of 1839. Lord Stanley replied that the guarantee in the treaty of 1839 pledged this country to defend the interests of the King of Holland; but that, if the King voluntarily chose, either for a pecuniary consideration or any other reason, to part with the duchy, the guarantee ceased to operate. The matter, in that case, was one for France and Germany alone; and Germany, united as she was, seemed capable of providing for her own defence. The King of Holland, however, had made the transfer of the duchy dependent on the consent of Prussia, and on that of the people of Luxemburg. What the people might determine, he did not know; but he had a strong idea that the consent of Prussia to the arrangement would never be obtained. In repeating in Parliament, however, on the 5th of April, the language which he had used to the Prussian Government, Lord Stanley was able to add that the cession had now been relinquished by the King of Holland. What might be the consequence of this

decision, he could not foretell; but, so far as Holland was concerned, the whole matter was at an end.[1]

Lord Stanley could not, of course, say more in the House of Commons. He was, however, actively endeavouring—while determining to preserve a strict neutrality—to devise some means for preventing the calamity of a great European war. With this object, he suggested, as a possible solution of the difficulty, that Luxemburg should be disarmed, and that it should either be handed to Belgium, or left to Holland on the understanding that it should be ceded to no other power. One or other of these arrangements might be settled in a conference of the powers who had signed the treaty of 1839.[2] The proposal for a conference was supported by Austria and Russia. The Queen assisted her Ministers by writing personally to the King of Prussia, and making a strong appeal to him in the interests of peace;[3] and, towards the end of April, the British Ministers had the satisfaction of announcing in both Houses of Parliament that the conference would take place, and that peace was probably assured.[4]

Lord Stanley proposes a conference.

The conference met immediately, and almost as immediately arrived at an agreement. It was decided that Luxemburg should be neutralised; that all the powers should acknowledge its neutrality; that it should continue to form part of the dominion of the King of Holland, and that it should be placed under

The decision of the conference.

[1] *Hansard*, vol. clxxxvi. pp. 1254–1257.

[2] Rothan, *L'Affaire du Luxembourg*, p. 322. M. de Moustier was in favour of the first of these proposals, partly because he hoped that Belgium might consent to yield some territory to France in exchange for Luxemburg; and partly, because all patriotic Frenchmen in 1867 looked forward to the ultimate absorption of Belgium in France. And Belgium with Luxemburg would be a still more desirable acquisition than Belgium without Luxemburg. As a foreign diplomatist said to M. Rothan, 'Que la Belgique s'annexe le Luxembourg, et la France s'annexera le tout.' *Ibid.*, p. 323.

[3] *Ibid.*, p. 342.

[4] *Hansard*, vol. clxxxvi. pp. 1785, 1868.

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the collective guarantee of the European powers. It was further decided that the Prussian garrison, with all its stores, should be withdrawn, that the fortress should be dismantled, and that the works should not be repaired.[1]

The news of this result was received everywhere with satisfaction. Europe, which had anticipated the crash of arms, breathed more freely on learning that peace was assured. However much Prussian officers might regret that they had been deprived of the opportunity of measuring themselves against the French army, Count von Bismarck was unaffectedly glad that he had obtained the time which he desired to complete his preparations. In France, public men affected to profess that they were satisfied with the compromise. If the Emperor had failed to obtain Luxemburg, his Ministers could at least plead that Luxemburg was no longer a menace to France.[2]

The neutrality of Luxemburg guaranteed.

In this country, everyone acquainted with the facts rejoiced that a great and disastrous war, which at one moment had seemed inevitable, had been averted by the efforts of diplomacy, directed mainly by the Foreign Minister of England. Lord Stanley's reputation was raised to a very high level by the firmness and prudence which he had displayed. For the next few years he became a leading factor in British politics; and men

[1] *Parl. Papers*, Session 1867, vol. lxxiv. pp. 415, 425, 449. The published correspondence only commences on the 10th of April, 1867, and should be read in connection with Lord Stanley's declaration in Parliament referred to in the text; *Hansard*, vol. clxxxvii. p. 379; *Ann. Reg.*, 1867, Hist., p. 225, where the treaty is given. The really difficult question—that of the dismantlement of the fortress—had been settled privately between Prussia and Great Britain before the Conference met. *L'Affaire du Luxembourg*, p. 247.

[2] M. de Moustier said: 'The treaty fully accords with the views of the French Government. It does away with a state of things established against us in evil times, and which has been maintained for fifty years. It gives to our northern frontier the guarantee of another neutralised state.' *Ann. Reg.*, 1867, Hist., p. 227; and Rothan, *L'Affaire du Luxembourg*, p. 407.

there were who speculated on his rising to the lead of the Conservative party. At the same time, amidst the universal satisfaction which was felt at his conduct of the negotiations, some doubts were expressed on the wisdom of undertaking a new guarantee. Lord Stanley himself did something to feed these doubts by his language.

'I am not ashamed to say,' so he said in the House of Commons,[1] 'that the very name and idea of a new guarantee was a thing so utterly distasteful to me—so utterly contrary to all the theories of foreign policy which my colleagues and I had laid down for ourselves—that for two or three days I hesitated before giving my assent, on the part of the British Government, to the arrangement. In giving it at last, I acted under a feeling of doubt and anxiety such as I never felt upon any other public question. But let the House consider what was the alternative. It is not a matter of argument or probability, it is a matter of absolute certainty, that if we had stood out upon that point—and consequently the project of a collective European guarantee had fallen through—the conference must have been broken off, and war would have ensued.'

To avoid the calamities of such a war—a war which would, in all probability, have drawn two other powers, Austria and Italy, into the field—Lord Stanley had consented to subscribe to the collective guarantee; but having thus, in the earlier part of his speech, laid stress on his dislike of the guarantee which he had given, in the latter part of his speech he argued that, after all, a guarantee meant very little.

Lord Stanley's explanation of a guarantee.

'The guarantee now given is collective only. It means this: that, in the event of a violation of neutrality, all the powers who have signed the treaty may be called upon for their collective action. No one of

[1] *Hansard*, vol. clxxxvii. p. 1918.

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those powers is liable to be called upon to act singly or separately. It is a case, so to speak, of "limited liability." We are bound in honour—you cannot place a legal construction upon it—to see, in concert with others, that these arrangements are maintained. But, if the other powers join with us, it is certain that there will be no violation of neutrality. If they, situated exactly as we are, decline to join, we are not bound single-handed to make up the deficiencies of the rest. Such a guarantee has, obviously, rather the character of a moral sanction to the arrangements which it defends, than that of a contingent liability to make war. It would no doubt give a right to make war, but it would not necessarily impose the obligation.' [1]

These remarks, not unnaturally, attracted much attention. In Prussia, complaints were made that Lord Stanley, by his language, was evading the stipulations of the treaty; it was even stated that it was 'no use to sign a treaty with England, because England will find a means of escaping from the obligations imposed on her by it.' [2] And Prussian criticism was supported by high authority in this country. Lord Stanley's speech, said the Duke of Argyll, 'had reduced the whole thing to a sham and a farce.' [3] Other persons, who spoke with the weight which official experience gave them, doubted the construction which Lord Stanley had placed on the treaty. Lord Granville argued, with some force, that, if the interpretation placed on it were a true one, he could not understand the importance which Prussia had certainly attached to the collective guarantee, or the hesitation which Lord Stanley had felt in agreeing to it.[4] Discussions on the subject were renewed from time to time in the House of Lords; but the Government steadily adhered to the view which

[1] *Hansard*, vol. clxxxvii. pp. 1922-23.
[2] *Ibid.*, vol. clxxxviii. p. 975.
[3] *Ibid.*, p. 156.
[4] *Ibid.*, p. 154.

Lord Stanley had propounded. Lord Derby, indeed, drew a broad distinction between separate and collective guarantees, which the common sense of mankind will justify and uphold. Yet, perhaps, it is doubtful whether any guarantee, whether it be separate or collective, can bind a country for all time to carry out the provisions of a particular treaty. It would, in fact, be probably intolerable if one generation could pledge the succeeding generation to follow, possibly in wholly new circumstances, a definite policy. What a guarantee does is to intimate to the world that the cause which it guarantees is regarded of such importance that the power which signs the guarantee is prepared, whether separately or in association with other powers as the case may be, to uphold it by force. It does not necessarily follow that it will, on every such occasion, use force. It merely indicates that, in the light of new circumstances, it will consider whether force shall be used.[1]

[1] The view, stated in the text, appears to be supported by the practice of Europe. In 1831, the five great powers laid down twenty-five articles, which were to determine the future relations between Belgium and Holland. The powers bound themselves to uphold, not collectively, but severally and individually, the integrity of the treaty. Yet, in 1832, when Belgium, who had not been put into possession of the territory assigned to her by that treaty, called on the powers to enforce her rights, Prussia, Russia, and Austria declined to interfere by force of arms for that purpose; while France and England, taking a stricter view of the obligations imposed on them by the treaty, proceeded to enforce it by combined naval and military operations. Lord Derby, in *Hansard*, vol. clxxxviii. p. 971. But a still stronger case is furnished by the treaties of 1856. The powers then undertook to respect the independence and the territorial integrity of the Ottoman Empire; [and to] guarantee in common the strict observance of that engagement. Yet, so clearly was it then understood that the collective guarantee was not effectual, that three of the powers, Austria, France, and this country, fifteen days later, signed another treaty guaranteeing jointly and severally the independence and the integrity of the Ottoman Empire. Lord Derby naturally used this case to illustrate the difference between a collective and a separate guarantee. *Ibid.*, p. 972. Yet, if he had been gifted with foresight, he might have perhaps doubted whether one was more effective than the other. The collective guarantee did not prevent Russia from embarking in 1878 on a new Russo-Turkish war. The several and individual guarantees did not bring into the field any of the three powers which had separately and individually guaranteed the integrity and independence of Turkey.

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The evacuation of Rome.

For the moment, at any rate, war had been avoided, and the future of Luxemburg ceased to be a menace to the peace of the world; but, if the perplexed and wearied ruler at the Tuileries gained some temporary relief in one direction, he found himself involved in a new difficulty in another quarter. In accordance with the terms of the convention of September 1864,[1] he had withdrawn the French garrison from Rome in December 1866. For a short interval, at any rate, the Pope was compelled to remain without foreign support in the Vatican; but, from the earliest days of 1867, it was evident that this arrangement could not endure. In February, General Garibaldi left Caprera, and landed in Italy; in the following September he attended a meeting, at which the working classes of many nations were represented, assembled at Geneva, ostensibly to promote the cause of peace. General Garibaldi easily persuaded a credulous audience that the cause of peace was intimately associated with the destruction of monarchy, and the downfall of the Papacy. The Italian Government trusted that he might be induced, after preaching his new evangel in Switzerland, to return to Caprera. Instead of doing so, he travelled through Florence to the papal frontier, where armed volunteers were already collecting to accompany him in a march upon Rome. The Government of Italy, which, at that time, was under the control of M. Rattazzi, could not suffer so violent an infraction of its neutrality and its engagements, and arrested him at Asinalunga; but this arrest, which a French historian has described as a second and bloodless Aspromonte,[2] did not terminate the internal and external dangers to which the Pope was exposed. Rome, it was thought, was ripe for revolu-

[1] See *supra*, p. 217. The convention is printed in *State Papers*, vol. lv. p. 461.

[2] De la Gorce, *Histoire du Second Empire*, vol. v. p. 276.

tion. The bands which Garibaldi had collected were, at any rate, invading papal territory. Garibaldi himself, liberated from his captivity, returned to Florence and set out for the papal frontier. The Emperor could not, on his part, afford to neglect this infraction of the convention of September, and this new assault on the papal throne. As Italy was unable, or unwilling, to guard the Pope, the wishes of the Emperor, the advice of his Ministers, the irritation of Catholic France, all impelled him to fresh intervention. In the middle of October 1867, he despatched a second expedition to Rome. The expedition arrived in time to take part in the defence of the Pope. With its aid the revolution was defeated early in November at Mentana, and Pius IX. was saved.[1]

It is re-occupied by French troops.

In one sense, Mentana improved the Emperor's position. It showed that he was still prepared to act with vigour in a great emergency, and it convinced his Roman Catholic subjects that he was still determined to cover with his authority the waning power of Rome. Thus Mentana is still regarded as the concluding episode, the final achievement, of the Emperor's earlier policy;[2] but the Emperor himself could have derived little comfort from such a reflection. To him, at any rate, Mentana only brought a renewal of the old difficulty which had subsisted from the days of Villafranca, and which he had—as was now seen, vainly—attempted to terminate by the convention of September 1864. His earlier associations, his own inclinations, his later fears, were all compelling him to side with revolution in Italy, while his own household and his original supporters were all urging him to resist it. A far abler man than the Emperor might have found it impossible to run with the quarry on the Tiber, and hunt with the

[1] De la Gorce, *Histoire du Second Empire*, vol. v. pp. 296-313.
[2] *Ibid.*, p. 319.

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hounds on the Arno. But, in addition to the embarrassment of this dilemma, the Emperor was becoming painfully aware that he could no longer afford to lock up a garrison in Central Italy. Whether war was to be avoided or fought out, every man on whom the Emperor could lay his hands was required on the banks of the Rhine. Only a few years before, the entire continent had shuddered at the knowledge that the Emperor had 500,000 men at his disposal; and this force was assumed to be large enough to go anywhere and to do anything. Sadowa had dispelled this illusion, and the military men of France were openly declaring that, excluding the Garde Mobile, 800,000 regular troops were required for the defence of France.[1]

The growing difficulties of Napoleon III.

The state of the French army.

One scrap of comfort, indeed, Mentana had brought. The new weapon, with which the French infantry was armed, and which owed its name to its inventor, Colonel Chassepot, was reported 'to have done wonders.' It was useful, so the military authorities of France thought, that Prussia, priding herself on the achievements of her own needle-gun in Schleswig and in Bohemia, should realise that the French were armed with a rifle which in range and accuracy was at least comparable with her own.[2] And this scrap of comfort was the more agreeable because, a few weeks before Mentana was fought, the Emperor had received a report which must have filled him with fresh disquietude. He had instructed an officer of distinction to proceed to Belgium, to watch the autumn manœuvres of the Belgian army, and to inquire into its organisation and

[1] The number was so given by the *Moniteur*, 12th of December, 1866. De la Gorce, *Histoire du Second Empire*, vol. v. p. 228; and cf. *ibid.*, p. 329. I have quoted M. de la Gorce because his estimate is the more modest. General Le Brun says that the military members of the commission of 1867 thought that 1,000,000 men in arms were absolutely necessary. *Souvenirs Militaires*, p. 6.

[2] De la Gorce, *Histoire du Second Empire*, vol. v. p. 309; and cf. *Le Brun*, pp. 20–22.

its arms. This officer had returned with the information that Belgium had already acted on the lesson which Sadowa had taught; that it had an army exclusively composed of young soldiers, who manœuvred with the steadiness of old troops; that it had adopted the arrangements which Prussia had devised for rapid mobilisation; that it was equipped with an artillery in range and accuracy far superior to anything which was known in France; and that its strong places, Antwerp especially, were armed and provisioned, for the eventualities of a siege, with a completeness and efficiency which neither Metz nor any other French fortress could display.[1]

The Emperor's paper on military reform.

Mortified to find that the little kingdom, which he had only lately regarded as a desirable adjunct to his Empire, had an army and an organisation superior, as far as it went, to anything known in France, the Emperor, with an industry which was as characteristic as it was misplaced, set himself to consider how the defects of his own troops should be supplied. With an assiduity, of which Philip II. might have been proud, he occupied himself for the last six months of 1867 with composing a paper on military reform. He had the satisfaction of learning from his Minister of War that his essay would guide his advisers in their work of reorganisation. He had the mortification, later on, to learn that, either from the conservative dislike of change which permeated the War Office, or from the impossibility of obtaining the necessary supplies, the paper had no influence and achieved nothing.[2]

Under a system devised in 1818, and amended in 1830 and in 1832, 100,000 men were chosen annually

[1] Le Brun, *Souvenirs Militaires*, pp. 35–38. Colonel Stoffel had also sent home alarming reports from Berlin; but he was treated at the French War Office as a madman under Count von Bismarck's fascination. De la Gorce, *Histoire du Second Empire*, vol. vi. pp. 129, 130.

[2] Le Brun, *Souvenirs Militaires*, pp. 48–54.

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The deficiencies of the French army.

by lot to serve for seven years in the French army. In theory, the burden of the liability fell equally on all classes; but, in practice, the rich man on whom the lot fell was allowed to purchase the service of a substitute. In 1855 it occurred to some one that the provision of a substitute could be made with equal efficiency by the State itself; and the rich man, thenceforward, was exempted from service on payment of a sum of money.[1] It did not require any large knowledge of affairs to predict that, with such a system, the State would not procure in the ranks the whole number of men which it theoretically derived from the ballot. On the other hand, it obtained some compensation from the re-engagement of men, whose seven years of service had expired. As a result of these arrangements, it followed that the actual strength of the army did not correspond with its nominal strength on paper; and that a considerable percentage of the men with the colours were old soldiers. It equally followed that, in an emergency, France could only rely on the men with the colours; and that she had not, like Prussia, a reserve of men, who had passed through the ranks, to fall back upon.[2]

The remedy for these deficiencies.

The remedy for this state of things was clear. Maintain the number of men liable to be drawn for service; but insist on each man drawn either serving or providing a substitute; reduce the service with the colours, and retain the right of keeping the men for a further period in a reserve. By these means the fighting

[1] See General Trochu, *L'Armée Française en 1867*, pp. 45–48. De la Gorce, *Histoire du Second Empire*, vol. v. p. 321.

[2] M. Ollivier has attempted to show that the reports of the military deficiencies of France were exaggerated; but, as his argument is based on the returns which were published at the time, it is not convincing. No one doubts that France from 1866 to 1870 had an army strong on paper. What is asserted is, that the paper strength of the French army bore no exact relation to its true strength in men or armament. See Ollivier, *L'Empire Libéral*, vol. viii. Appendix vi. p. 650.

strength of the army could be expanded almost indefinitely at the minimum of cost. But, obvious as this remedy was, there were two objections to it: 1. Military men of authority still clung to the notion that old soldiers were the backbone of every army; 2. The scheme, excellent as it might prove eventually, required time; and the new power, suddenly developed in Central Europe, was not likely to allow its adversary time to build up its reserve.

The remedy proposed by the commission of 1868

For these and other reasons, the commission, which the Emperor had constituted, hesitated to adopt the conclusions which a study of the Prussian military system was forcing on intelligent minds. Instead of doing so, they decided on dividing the men, drawn at the ballots, into two portions: one portion, representing the existing unlucky numbers, would serve for five years with the colours, and four with the reserve; the other portion, representing the existing lucky numbers, would serve four years in the reserve. Behind this army they proposed the formation of a Garde Mobile, consisting of the men who had avoided active military service by obtaining substitutes or by purchasing exemption, and of men who had passed at once into, and completed their four years of service in, the reserve.[1] They further proposed that the Garde Mobile should be liable to be called out each year for twenty-five days' training and discipline. This scheme was destined to considerable modifications before it passed the Chamber. The Legislature maintained the privilege, which it had exercised since 1832, of deciding the number of men to be drawn for military service in each year. It exempted those, who drew the lucky numbers, from service in the reserve, and passed them at once to the

[1] See the details of General Trochu's proposed reform, *L'Armée Française en 1867*, pp. 54–62 and 280 *seq.*; and cf. De la Gorce, *Histoire du Second Empire*, vol. v. pp. 332–334; and as to the military preference for old soldiers, Le Brun, *Souvenirs Militaires*, p. 5.

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Garde Mobile. It relieved the Garde Mobile from its continuous annual training, and merely imposed on its members the obligation of fifteen days' drill in the neighbourhood of their homes. Even this slight training was not given. It was found that it involved an expenditure of 35,000,000 to 40,000,000 francs a year; and the Ministers hesitated to ask the Chamber to supply them with this sum.[1]

only partially adopted.

The position of Marshal Niel, who presided over the French War Office, was not, in these circumstances, a happy one. He could reverse the saying of the Psalmist; for, while he was anxious to make ready for battle, the Legislature was labouring, if not for peace, at any rate to make war hopeless. It so happened, however, that Marshal Niel was not destined to see the ruin of his country. He died in 1869; and a less resolute reformer, Marshal Le Bœuf, reigned in his stead. If, under Marshal Niel, the French War Office had striven for efficiency, under Marshal Le Bœuf it acquiesced in the public desire for economy.[2] Even with Marshal Niel, the attitude of the Legislature would have made effective reform difficult; with Marshal Le Bœuf, it ceased to be possible.

The beginnings of L'Empire Libéral.

Seven years before, Napoleon III. might have overruled the objections of the Chamber, and strengthened the hands of his Minister of War. In 1867 and in 1868 he was no longer in a position to do so. The drift, which had carried him to Villafranca in 1859, had estranged him from his Roman Catholic supporters, and had slowly drawn him into the arms of those whom he had originally regarded as the chief opponents of his Empire. The little group of deputies—the five of 1857—had gradually become a power in the land; and the

[1] De la Gorce, *Histoire du Second Empire*, vol. v. p. 344; and Le Brun, *Souvenirs Militaires*, p. 13.

[2] De la Gorce, *Histoire du Second Empire*, vol. vi. p. 148.

principles, which they had hardly dared to enunciate in the beginning, were becoming the commonplaces of Imperial policy. In 1859, the ranks of the Opposition were recruited by the return to France, under an amnesty, of the exiles of 1851; in 1860, discussion was made effective by the concession to the Chamber of the right to address the Crown; by the appointment of Ministers specially elected to defend the Imperial policy in the Legislature; and by the publication, in the 'Moniteur,' of the debates. In 1861, the Chamber obtained a closer control over the finances of the State by the division of the supplies into sections, each of which was separately voted. At the general election of 1863, the five developed into a compact opposition of thirty-five; and the Emperor found himself in the unusual position of looking to the more moderate members of the Opposition for a defence of his policy. In 1867, he actually made M. Ollivier, the most prominent person among the original five, an offer of office.[1] In 1868, the Emperor went a step farther, and gave the Chamber the right of questioning his Ministers, who were authorised to attend the Chamber, and defend their own action; and, what was still more striking, he removed the restriction which, since 1851, had paralysed the newspaper press, and accorded, on certain conditions, the right of holding public meetings to discuss questions of public policy.[2]

The development of parliamentary government under the Second Empire.

How great these changes were, may be inferred from the following facts. Under the Constitution of 1852 the Legislative Assembly at the Palais Bourbon dealt with ordinary legislation, the Senate at the Luxembourg

[1] De la Gorce, *Histoire du Second Empire*, vol. v. p. 348.

[2] The reader, who desires to understand the gradual transformation of L'Empire Autoritaire into L'Empire Libéral, must study before all else the eight volumes of M. Ollivier's work; but he may also read the 22nd, 24th, and 34th books of M. de la Gorce's History. For a useful summary of the various reforms, see Seignobos, *L'Histoire Politique de l'Europe Contemporaine*, pp. 162–167.

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with any law affecting the Constitution. The laws were prepared by the Conseil d'Etat; they could not be subjected to amendment; they were accepted or rejected as they stood; just as the Budget, and even the number of conscripts to be drawn at the ensuing ballot, were voted as they came from the Conseil d'Etat. The debates were held in private; no shorthand writer was allowed to be present; even the devices, to which resort was made in this country in the eighteenth century, were not permissible in the France of the Second Empire; and no journalist would have presumed to publish the discussions in the Legislature of Lilliput for the edification of the French people. In 1868, all these rules were largely modified. The Legislative Assembly could rough-hew the laws submitted to it into the shape which it preferred; it could reject particular supplies without overturning the whole Budget; it could question the Ministers on all matters of domestic and foreign policy. Above all, its debates were no longer secret; and their publication had an equal effect on electors and elected: it gave the former a new interest in politics, a new power in controlling them; it gave the latter a fresh inducement to interfere and to criticise.

Parliamentary government had, therefore, already largely replaced autocracy in France; and parliamentary government had many excuses for cutting down the proposals which the Emperor was making for the reform of his army. For, while parliamentary government was becoming more and more powerful, it had not yet succeeded in obtaining the information which was requisite for the wise exercise of power. The secrets of Imperial policy were locked up in the breast of the Emperor; and the knowledge that his was the responsibility for failure compelled him to pretend that every failure was a success. Thus he tried to

The defects of the new system.

persuade his subjects that the arrangements, which had resulted from Sadowa, had been devised in the interests of France, and that the French, relieved from the possible hostility of a united Germany, had nothing to fear from a Germany split into fragments. But the contention, however useful it may have proved in one way, placed his spokesmen at a hopeless disadvantage in the Chamber; for, if it were true that Sadowa had broken up, and not consolidated, the enemies of France, and had strengthened, instead of weakening, her position, how could it be contended that Sadowa had made it necessary to reorganise and strengthen the French army? How often, and how lately, the Emperor had himself assured the country that everything was going on well! What need, then, for the vast armaments, the huge sacrifices, for which he was calling?

In the meanwhile, the progress from autocracy to parliamentary government was proceeding at railway speed. The greater freedom, which the reforms of 1868 had given to the press, naturally led to the foundation of new newspapers. M. Delescluze founded the 'Réveil;' M. Rochefort the 'Lanterne.' When the chains, by which liberty has been bound, are suddenly removed, freedom frequently assumes the form of licence; and so it was in France in 1868. The 'Lanterne' and the 'Réveil,' however, were not the only methods by which the enemies of autocracy were assailing the Empire. M. Ténot produced, in the form of a book, a plain record of the events of 1851, which formed a more serious indictment of the *coup d'état* than the impassioned utterances, in our own country, of Mr. Kinglake, the historian of the Crimean War. The book, among other things, told how a deputy, M. Baudin, had met his death on the barricades; the 'Réveil,' in its columns, drew attention to the tragedy. A demonstration was made, on the 22nd of November, in the cemetery

The Baudin testimonial.

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in which M. Baudin was buried, and a subscription was asked for by the Liberal press, in order to raise a monument to his memory. The Government, unnecessarily nervous at the growing consequences of its own concessions, unwisely decided on prosecuting the organisers of the subscription. M. Delescluze, somewhat reluctantly, entrusted his defence to a young advocate, M. Gambetta, born at Cahors, but the son of a Genoese tradesman. Even M. Gambetta's eloquence could not obtain a verdict for his client from the court before which he pleaded. But, if he lost his case in the court, he won his cause in the country. His speech, less a defence of his client than an attack on the Second Empire, rang like a challenge to the Emperor, which the whole nation seemed ready to support. 'Take heed, you who for seventeen years have been absolute master of France. Stricken by remorse, you have never dared to celebrate the day on which your rule began. In future we will commemorate, year by year, the anniversary of that 2nd of December, on which you rose to power. We will consecrate it to the memory of those who died on that day for France, till the hour arrives when the country, reasserting its own power, shall force you to expiate your own crimes in the name of liberty, and in vindication of the equality and fraternity of mankind.'[1]

The position of Napoleon III.

In history the weak ruler is frequently punished for the crimes of his strong predecessor. Napoleon III. was destined to furnish in his own person a fresh example of this truth. L'Empire Libéral was doomed to suffer for the faults and follies of L'Empire Autoritaire. Stricken with illness, the Emperor had no longer strength to buffet with the rising tide of hostile criticism. He instinctively endeavoured to relieve himself from the burden of rule,

[1] See, for all these events, De la Gorce, *Histoire du Second Empire*, vol. v. pp. 395-418.

to which he was no longer equal, by sharing some portion of the responsibility with the representatives of the people. But the fatal habit of indecision, which made his policy mysterious and inexplicable in the days of his strength, robbed of their full value the concessions which he made. He could not bring himself to part finally with the power which he was conscious that he had no longer the strength to wield. An autocrat may stand, and, as the first German Emperor has shown, may even triumph over his Legislature. A constitutional ruler cannot permanently escape from the consequences of mistakes in policy, unless he introduces some buffer between himself and his Parliament. In the United States, the President can resist, at need, the conclusions of Congress, because the country is aware that he is the creature of its own choice, and that he must lay down the great power which he possesses in a period which, at the furthest, cannot exceed four years. In this country the Crown is unaffected by the gravest crises, because the Minister governs and falls, while the King reigns and survives. But, in the closing years of the rule of the Third Napoleon, France was without the safety-valve which the United States possesses in the short term of the President's office, and without the remedy, which this country can apply, by the defeat of a Ministry. The Emperor was ready to remove every restriction which hampered the expression of opinion, either in Parliament or in the press, but he was unwilling to part with the executive power which he still retained. He was ready to trust a Chamber elected by the people, but he could not bring himself to trust a Minister selected by himself. He was ready to invest a Legislature with almost sovereign powers of control; and he hesitated to take the final plunge by making his advisers responsible to Parliament.

Yet the drift towards parliamentary government

CHAP. XIII. 1869.

The eneral election of 1869.

was steadily gaining force. After the general election of 1869, the moderate men of all parties joined hands in desiring a parliamentary Ministry, and no fewer than 116 deputies signed an 'interpellation' demanding the appointment of a Ministry responsible to the Legislature. Napoleon III., even in the hour of his strength, might have found it difficult to resist this movement. In 1869 he endeavoured to meet it halfway. On the 12th of July, when the Session began, he instructed M. Rouher to make fresh concessions, giving the Legislative Chamber greater control over legislation, over finance, and over its own business.[1] In order to mark more clearly the importance of these reforms, he followed them up by removing M. Rouher from the office which made him the spokesman of his master's policy, and by choosing a new and—in a political sense—somewhat colourless Ministry. Ever halting, however, between two opinions, he accompanied these concessions with a stroke which irritated the very men in whose favour they were made. On the 12th he had endowed the Chamber with new powers; on the 13th he prorogued it to an indefinite date.[2]

The Chamber prorogued in July.

In the months, which elapsed between the prorogation of the Chamber and its ultimate meeting, the Emperor found it necessary to make further concessions, and he summoned the Senate to develop and confirm the reforms which he had announced through M. Rouher in July. Hence it happened that the new and decisive step which Napoleon was taking towards the institution of parliamentary government was sanctioned by what the French call the Senatus Consultum of September 1869.[3] But neither the letter of July, nor the Senatus

[1] I believe this to be a fair summary of the reforms, which will be found in *De la Gorce*, vol. v. p. 493.

[2] *Ibid.*, p. 496.

[3] Under the Constitution of 1852, laws affecting the Constitution, 'les lois constitutionnelles,' were referred to the Senate alone. De la Gorce, *Histoire du Second Empire*, vol. vi. p. 88.

Consultum of September, conceded the full reform to which all the others were leading. In the debate in the Senate, indeed, which preceded the voting of the new Constitution, Prince Napoleon openly expressed his regret that L'Empire Autoritaire had not burned its boats, and abandoned every hope of resuming its earlier policy by the concession of full ministerial responsibilities.[1] But the Emperor could not yet make up his mind to yield the tiller to his pilots, and stand, on the quarterdeck of the ship of State, in the uniform of an admiral, but without the admiral's power. When the Chamber was at last suffered to meet, on the 29th of November, he unfolded his own views in one of those phrases which he knew so well how to coin. 'France,' he said, 'desires liberty, but liberty and order. For order, I am responsible. Help me, gentlemen, to endow her with liberty.' Every day, however, showed him that the views of the Chamber were gravitating more and more directly to the institution of a Ministry which, if it represented the cause of liberty, should relieve the Emperor of his responsibility for order. Within a month of the meeting of the Legislature, Napoleon found it necessary to part with the provisional Cabinet of the summer, and to entrust M. Emile Ollivier with the task of forming a new Ministry, prepared to act in the spirit as well as on the letter of the Senatus Consultum of September.

and reassembles in November.

The Ollivier Ministry.

The man, on whom the Emperor's choice fell, will live in history as the Minister who accepted with a light heart the responsibility of the policy which produced the greatest tragedy of the nineteenth century. He will live in literature as the author, among other works, of the elaborate apology of his own conduct which he calls 'L'Empire Libéral,' but whose eight published volumes are exclusively occupied with the doings of L'Empire

[1] De la Gorce, *Histoire du Second Empire*, vol. v. p. 503.

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Autoritaire. Young, as statesmen are reckoned,—he was only in his forty-fifth year—he had already made his mark in politics. 'Fils de proscrit, et grandi dans la haine de l'Empire,'[1] the most prominent member of 'the five' who had constituted the parliamentary Opposition of 1857, and the most active exponent of Liberal principles, he had, since 1867, been gradually attracted to the Emperor, and separated from his previous associates. For some time Napoleon had desired his entrance into the Ministry; but it was only at the end of 1869 that he finally decided to entrust him with the chief direction of affairs. He gave him a free hand to form a Ministry from any portion of the Legislature; the members of the Extreme Left, or, in our language, of the Radical party, alone excepted. Thus the Ministry of the 2nd of January, 1870, of which M. Ollivier was the head, combined the great majority of the deputies in its support. It consolidated the moderate men, on whom it chiefly relied, by completing the constitutional reforms of the previous year, and by transferring to the Legislature as a whole the power of changing the Constitution, which had previously resided in the Senate.[2] By the advice of M. Rouher, the Emperor even decided to give an additional significance to this decision by asking the people to pronounce an opinion on the reforms which had been adopted; and the people, on the 8th of May, expressed their approval of the new and Liberal Empire by a vote almost as large as that by which, eighteen years before, they had sanctioned the introduction of autocratic Imperialism. With 7,500,000 Frenchmen in his favour, and only 1,500,000 opposed to him, the Emperor, notwithstanding the outbreak of disturbances in the earlier months of the year, might be pardoned for thinking that he had received a new assurance of

The plebiscite of May 1870.

[1] De la Gorce, *Histoire du Second Empire*, vol. vi. p. 21.
[2] *Ibid.*, pp. 91, 94.

his own stability and of his son's succession. He might even disregard the men who, like M. Gambetta, were declaring that the Ollivier Ministry was the bridge over which Liberalism would pass from the Republic of 1848 to the Republic of the future.[1]

So soon as the result of the plebiscite was known, M. Ollivier was forced to make a slight alteration in the personnel of his Ministry. Comte Daru, who had presided at the Foreign Office since January, and who was alarmed at the policy of the plebiscite, resigned, and was replaced by the Duc de Gramont. The significance of this alteration could hardly be ignored. Comte Daru's presence at the Foreign Office was everywhere regarded as an assurance of peace. The Duc de Gramont, who had represented France at Rome and at Vienna, was the partisan of the Pope against Italy—of Austria against Prussia.[2] In the spring of 1870, however, little chance apparently existed of fresh diplomatic controversy with any power. For once, the political horizon was apparently free from any cloud; and, indeed, Lord Granville, who, on Lord Clarendon's death,[3] succeeded to the British Foreign

[1] De la Gorce, *Histoire du Second Empire*, vol. vi. p. 9. The Emperor's own words were: 'Nous devons plus que jamais envisager l'avenir sans crainte.' *Ibid.*, p. 118.

[2] For the Duke's hostility to Germany see Busch's *Bismarck*, vol. i. p. 40.

[3] The death of Lord Clarendon occurred at a singularly unfortunate moment, both for this country and for France. So far as this country is concerned, Mr. Morley—in his recent biography of Mr. Gladstone—has shown how great an influence Lord Clarendon exercised with Mr. Gladstone and the Cabinet. But, so far as France was concerned, no man in England—perhaps no man in Europe—was held in higher esteem at the Tuileries. Lord Clarendon, in fact, spoke to the Emperor and the Empress with an authority to which no other statesman could pretend. Excellent as was the advice, that the Emperor received from Lord Granville, it would have carried more weight if it had been given by Lord Clarendon. There is no use speculating on the course which events might have taken in other circumstances. But it is possible that, if Lord Clarendon had survived till the autumn of 1870, and Lord Cowley had remained at the English Embassy at Paris, the united influence of these two men might have saved the Emperor from the rash policy which led to the disastrous war of 1870.

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Office in the month which followed the Duc de Gramont's appointment, bore striking testimony to the universal calm.

Lord Granville's declaration in the House of Lords.

'I had the honour,' so he spoke on the 11th of July, 'of receiving the seals of the Foreign Office last Wednesday. On the previous day I had an unofficial communication with the able and experienced Under Secretary, Mr. Hammond, at the Foreign Office; and he told me that, with the exception of the sad and painful subject about to be discussed this evening [the murder of some English gentlemen by brigands in Greece], he had never, during his long experience, known so great a lull in foreign affairs, and that he was not aware of any important question that I should have to deal with.'[1] On the very day on which Mr. Hammond hazarded this remarkable statement to his chief, in the clear and calm atmosphere, which was breathing peace, the electricity broke, which altered the face of the world.[2]

The Spanish throne.

The 'rattling peal of thunder,' which roused Europe from her dream of peace, burst over Spain. In the days of her power, Spain frequently alarmed Europe by her strength; in the days of her decline, she has quite as frequently disturbed Europe by her weakness. The remembrance of what she once was has induced statesmen to apprehend what she might again become; and an attention has been bestowed on her internal revolu-

[1] *Hansard*, vol. cciii. p. 3. A day or two before, M. Ollivier had used similar language. 'The continuance of peace was never more assured than now; and, in whatever direction one looks, no question can be discovered which carries with it a probable danger' (aucune question irritante engagée). Jacks, *Life of Bismarck*, p. 297; De la Gorce, *Histoire du Second Empire*, vol. vi. p. 120.

[2] It is a remarkable fact that, five days before Lord Granville's speech, Mr. Gladstone had received a message through Lord Rothschild from the Emperor Napoleon, expressing his hope that the British Government would try to secure the withdrawal of the Hohenzollern candidature, 'which would be intolerable to France.' See Morley, *Life of Gladstone*, vol. ii. p. 325. Lord Rothschild was charged with this message on the day on which Lord Granville held his conversation with Mr. Hammond.

tions and on her external policy quite disproportionate to her position and her influence.

A memorable illustration of this fact had been given in 1846. Lord Palmerston had destroyed the good understanding, which had been happily established between France and England by Lord Aberdeen and M. Guizot, from his annoyance at the possibility of the throne of Spain being filled by a descendant of Louis Philippe. Since 1846, a good deal had happened in Europe to discredit Lord Palmerston's policy. The young Queen of Spain had presented her husband with a son, who barred the way to a Montpensier succession; and the fall of Louis Philippe had deprived even a Montpensier succession of the terrors with which Lord Palmerston had invested it. The condition of Spain, moreover, had not improved. The reign of the young Queen was a continual record of revolution and counter-revolution. At last, in the autumn of 1868, the Queen was compelled to fly to France, and her deposition was formally declared. In the following year the Provisional Government, which was installed at Madrid, and in which Marshal Prim rapidly acquired a predominating influence, decided on framing a Constitution, in which a new King, chosen by the nation, should be surrounded with democratic institutions. The adoption of this Constitution forced the men, who framed it, to commence the painful and difficult task of searching for a fitting Sovereign. Their choice ultimately fell on Prince Leopold of Hohenzollern, a distant relation of the King of Prussia, and the brother of Prince Charles of Hohenzollern, King of Roumania;[1] and this obscure Prince, who might have lived unknown and died unremembered, became the Helen that fired another Troy.

Prince Leopold of Hohenzollern.

In theory a good deal could be said for the choice. The Prince, though a Hohenzollern by birth—a scion of

[1] De la Gorce, *Histoire du Second Empire*, vol. vi. p. 190.

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the Suabian, or younger branch of the family—was a Roman Catholic by religion, and nearly related to the Emperor Napoleon.[1] There seemed, therefore, some ground for supposing that Napoleon might acquiesce in the selection of a ruler who was closely connected with his own family. If, however, any such ideas could have temporarily prevailed in any quarters, they ought to have been dispelled by the representations which M. Benedetti was instructed, in 1869, to make to Count von Bismarck.[2] Imperfectly as M. Benedetti may have fulfilled his duty, Count von Bismarck thenceforward could hardly have been ignorant that the adoption of the Hohenzollern candidature would be deeply resented by France. But, perhaps, those who have followed Count von Bismarck's career most closely will think that this knowledge made him all the more anxious that the choice of the Spanish nation should fall on Prince Leopold. At any rate, an unofficial envoy from Spain—who had made himself the chief advocate of the Hohenzollern candidature—was entrusted by the Spanish Government with a secret mission to Berlin in February 1870; and the subject of his mission was discussed at a conference over which the King of Prussia presided, and at which Prince Leopold, his father, and Count von Bismarck were all present.[3] On his return to Spain, the envoy was accompanied by a German officer, who was specially instructed to inquire into the state of Spanish opinion on the subject of the possible candidates for the crown;[4] and by Count Bucher, who was entrusted with a letter from Count von Bismarck

The intrigue that led to this selection.

[1] His mother was a niece of the Empress Josephine, and his grandfather had been married to a sister of Murat. See, *inter alia*, Jacks, *Life of Bismarck*, p. 302.

[2] *Ma Mission en Prusse*, p. 307; and De la Gorce, *Histoire du Second Empire*, vol. vi. pp. 194–197.

[3] *Ibid.*, p. 203. Count von Bismarck denies the conference, but says that Prince Antony, Prince Leopold's father, was living as the King's guest at the palace, and had invited him and some of the Ministers to dinner. *Reflections and Reminiscences*, vol. ii. p. 89.

[4] De la Gorce, *Histoire du Second Empire*, vol. vi. p. 205.

to Marshal Prim. Count von Bismarck did not apparently keep a copy of this letter, and even found it convenient to forget it; yet the letter was undoubtedly sent, and undoubtedly did its work. The Count acknowledged, indeed, its existence in his old age.' The skilful player at Berlin had, in fact, deliberately laid down a strong card. As his Boswell affirms, he had set a trap for Napoleon.[1]

The news at Paris.

In a country, where constitutional government had been fully developed, the news of the Hohenzollern candidature would have been carefully considered by a united ministry, and the action to be taken upon it would not have depended on the judgment of one man. But in France, in 1870, the Emperor, while passing from autocratic to parliamentary government, had failed to provide any machinery for insuring the joint responsibility of his Cabinet. M. Ollivier had been charged with the duty of forming a ministry, but he had not been given, and he did not enjoy, that commanding influence over his colleagues, which attaches, or ought to attach, to the office of Prime Minister. Each member of the Cabinet did what seemed right in his own eyes; and the first and fatal steps, in the matter of the Hohenzollern candidature, were thus taken by the Duc de Gramont on his own responsibility. Unfortunately the Duke's dislike of Prussia singularly unfitted him to deal discreetly with the crisis. He at once told the Prussian Ambassador that 'France would not tolerate the Prince of Hohenzollern or any other Prussian prince on the throne of Spain;' and not content with the Ambassador's assurance that he would not fail to inform his King of the sentiments of the French Government, he wrote in similar terms to the French Ambassador

[1] See the curious passages in Busch's *Bismarck*, vol. iii. pp. 378, 381. Bucher told Busch that Count von Bismarck denied the letter to Prim, 'until I reminded him that I myself handed it to the General at Madrid.'

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at Berlin; and asked Lord Lyons, who represented Great Britain at Paris, to invite the British Ministry to exert its influence both with Prussia and with Spain, to avert the disaster, which, he did not attempt to conceal, was, in his judgment, impending.[1]

The Duc de Gramont's declaration in the French Chamber.

In taking these proceedings, the Duke had acted with promptness and vigour. Unfortunately he did not confine himself to a conversation with the Prussian Ambassador at Paris, and a despatch to the French Ambassador at Berlin. On the following day, the 6th of July, he went down to the Chamber, and declared that the Government desired to maintain its attitude of strict abstention from any interference in the exercise of its rights by the Spanish nation; but he went on to say, that no respect for the rights of a neighbouring people 'obliges us to allow (*souffrir*) a foreign state to disturb the balance of power in Europe, and imperil the interests and honour of France by placing one of its princes on the throne of Charles V. To prevent this, we rely on the prudence of Germany, and on the friendship of Spain; but if these should fail us, strong in your support and in that of the nation, we shall discharge our duty without hesitation and without weakness.'[2]

The chances of peace were not improved by language, which, as a French historian has admitted, sounded like a declaration of war; and such chances of peace, as still existed, were further diminished by the recep-

[1] *State Papers*, vol. lx. p. 784. For the Duc de Gramont's despatch to Berlin, cf. De la Gorce, *Hist. du Second Empire*, vol. vi. p. 218.

[2] *State Papers*, vol. lx. pp. 785, 789. I have slightly varied the text of the English translation, specially by restoring 'the throne of Charles V.' of the original for the weaker phrase 'the Spanish throne,' which is unaccountably substituted for it in the official translation. Count von Bismarck insinuated, in conversation, that the Duc de Gramont was gambling on the Bourse. 'One might almost say that he brought about the war with that object' (to produce a fall). Busch's *Bismarck*, vol. i. p. 353. The responsibility which the Duke incurred was, in any case, heavy enough; and history may avoid inquiry into the accuracy of this additional charge against him.

tion which was given to the Duc de Gramont's words both in the Chamber and in the country. The British Ambassador in Paris was obliged to admit that the declaration, 'forcible as it was, did not go at all beyond the feeling of' the nation, which regarded the Hohenzollern candidature 'as an insult and a challenge.'[1] But, though the Duke's unnecessarily strong language had made the preservation of peace more difficult, the efforts of neutral nations, and especially of this country, did something to maintain it. No men, who ever held high office in England, laboured more truly for peace than Mr. Gladstone and Lord Granville. Every argument, which could be addressed with effect, either to Berlin or to Madrid, was used by them to heal the quarrel;[2] and, so well did they succeed, that, on the 10th of July, the Spanish Government was induced to suggest to Prince Leopold that he should withdraw his candidature; while, two days later, Prince Antony of Hohenzollern, on his son's behalf, formally declared that, in view of the complications which the introduction of his name had caused, Prince Leopold cancelled his acceptance of the crown.[3]

The candidature withdrawn.

Exactly a week had passed since diplomacy had been roused from its slumber by the 'rattling peal of thunder' which had broken over Europe; and, menacing as had been the clouds in the interval, there was now good reason for hoping that the heavens were clearing. With the retirement of Prince Leopold, the cause of the quarrel was removed. France, moreover, had distinctly stated that she would not tolerate the presence of any Prussian prince on the throne of Spain; and the project could not consequently be revived by any power unprepared for war. Diplomacy, when it is conducted

[1] *State Papers*, vol. lx. p. 792; and De la Gorce, *Hist. du Second Empire*, vol. vi. p. 228.

[2] *State Papers*, vol. lx. pp. 786–91.

[3] De la Gorce, *Hist. du Second Empire*, vol. vi. pp. 253, 255.

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with common prudence, loves to construct a bridge for the retreat of its opponents; and, though the Duc de Gramont had neglected from the first this precaution, he had the satisfaction to observe that his antagonists had no longer any pretext for advance. Unfortunately for France, however, her Foreign Minister was not satisfied with the removal of the immediate cause of dispute. Beneath the sore which the Hohenzollern candidature had made, there still rankled 'the wound inflicted by Sadowa on French pride,'[1] and it was as true in the days of Napoleon III., as in the days of Louis XV., that 'il y a toujours un prétexte qu'on met en avant, et une cause véritable qu'on dissimule.'[2] It did not seem enough to obtain a renunciation from a weak power like Spain, or an obscure prince like Leopold. The pride of France, the honour of France—so the French Foreign Minister thought—required that it should be exacted from Prussia. The existence of a ministry was, no doubt, a small thing compared with the peace of the world; but the Duc de Gramont was not ashamed to plead that it was doubtful whether the Ministry would not be overthrown if it went down to the Chamber, and announced that it regarded the affair as finished, without having obtained some more complete satisfaction from Prussia.[3]

The new demand of France.

This satisfaction the Duc de Gramont had already taken steps to obtain. Early in July, the representative of France at Berlin had learned from Count von Bismarck's Under Secretary at the Foreign Office, that 'the selection of a sovereign to fill the throne of Spain, was a question with which the Prussian Government had no concern whatever.'[4] If the Government disowned any concern in the affair, it seemed to the Duc de Gramont that he must address himself to the King.

[1] *State Papers*, vol. lx. p. 792.
[2] *Le Siècle de Louis XV*, p. 374.
[3] *State Papers*, vol. lx. p. 813.
[4] *Ibid.*, p. 803.

M. Benedetti, who was spending a holiday at Wildbad, was accordingly instructed to proceed to Ems, where King William of Prussia was drinking the waters. On the 9th of July, M. Benedetti saw the King, who admitted very frankly that he had been acquainted with the negotiation which had led to Prince Leopold's acceptance of the Spanish throne. For himself, he had neither counselled, nor forbidden, his acceptance of it. In taking this course, he had acted not in his public capacity as King, but in his private capacity as head of the House of Hohenzollern. Deeply as he had felt the language which the Duc de Gramont had used, he had placed himself in communication with the Prince, to whom, however, he had left the fullest liberty of action.[1]

M. Benedetti at Ems.

The news of this interview reached the Duc de Gramont on the 10th of July. The Duc, a few hours afterwards, in conversation with Lord Lyons, admitted that, if the Prince, on the advice of the King, should now withdraw his acceptance of the crown, the whole affair would be at an end.[2] Unhappily, in his despatches to M. Benedetti, he, almost immediately afterwards, used very different language. France, so he told his ambassador, could not afford to wait. The King was merely trying to gain time for the completion of his military arrangements. If he, therefore, would not promise to advise the Prince to renounce the throne, war must ensue, and France must move to the Rhine.[3] Even two days later, when the Duke had learned from the Spanish Ambassador that the Prince had abandoned his candidature, he determined, in concurrence with his colleagues, on insisting on the King of Prussia associating himself with the withdrawal. He instructed M. Benedetti to invite the King not only to do this, but to

[1] De la Gorce, *Hist. du Second Empire*, vol. vi. pp. 243–245.

[2] *State Papers*, vol. lx. p. 809.

[3] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 248.

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pledge himself to refrain from authorising afterwards the Prince's candidature.[1]

In taking this course, the Duc de Gramont committed a grave error. Up to that moment, the sympathy of Europe had been with France. Thenceforward the fact that France was making an unnecessary demand, transferred it to Prussia. The King received the French Ambassador, on the morning of the 13th of July, with much dignity. He declared that he had not yet received Prince Leopold's decision; that, till he received it, he could say nothing; but that, in no case, could he enter into an engagement committing himself in any circumstances and for all time. 'You ask me, in fact, to make a new and unexpected concession, to which I cannot agree;' and with these words, with unusual stiffness, but with perfect courtesy, he closed the interview.[2] A few hours later, when he learned officially that the Prince had renounced the crown, he sent his aide-de-camp, Prince Radziwill, to M. Benedetti with the news; and instructed him to add, that he considered the incident closed.[3] Recollecting his orders, M. Benedetti made one more effort to see the King, and received a message in reply that his Majesty had said his last word, and had nothing to add to it. Late in the afternoon the King telegraphed all these particulars to Count von Bismarck, and left it to his discretion to communicate them, or not, to the newspapers.[4]

During the anxious days, in which these communications had taken place, Count von Bismarck had been

[1] De la Gorce, *Hist. du Second Empire*, p. 267.

[2] 'Une concession nouvelle et inattendue'—in other words an engagement that he would not sanction the Prince's candidature in the future. In the earlier part of the interview the King had said 'Vous me demandez un engagement sans terme et pour tous les cas; je ne saurais le prendre.' Benedetti, *Ma Mission en Prusse*, pp. 378, 379.

[3] 'Sa Majesté me priait de vous télégraphier, qu'elle considérait cette affaire comme définitivement terminée.' *Ibid.* p. 380.

[4] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 281.

The editing of the Ems telegram.

at Varzin. On receiving the news of the Duc de Gramont's speech, he made up his mind that war was inevitable; and he was disconcerted to learn that his Sovereign was condescending to see M. Benedetti, and that Prince Leopold was even withdrawing from his candidature to avert the horrors of a great war. His annoyance was so great, that he made up his mind to resign his office, and take no part in the humiliation which he thought that his King was bringing upon Prussia. While he was thus musing on the situation, and conferring with two friends—General Von Moltke and General Von Roon, the two men who, after him, had the chief part in the construction of modern Germany—the King's telegram was brought to him. He saw that, if he published it as it was received, it would create neither enthusiasm in Germany, nor resentment in France. But he saw also, that by compressing the sentences he could create the impression that the King had met the demand of France by declining to see the French Ambassador, and had communicated the decision, in a manner that was discourteous or even offensive, through one of his aides-de-camp. In other words he saw that he could convert an innocuous piece of paper into what he himself called a red rag for the Gallic bull. He saw that he could produce a war which even at the eleventh hour might otherwise have been avoided.[1]

For the precise effect, which Count von Bismarck anticipated, was produced by the publication throughout Europe of the mutilated telegram. It was regarded in France as an insult, which the Duc de Gramont himself declared that he would rather resign than brave;[2] and the Duke found, on that fatal day, a powerful supporter

[1] See Count von Bismarck's own account in *Reflections and Reminiscences*, vol. ii. pp. 99, 100.

[2] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 296.

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in the lady who shared the Emperor's throne.[1] Thus strengthened, the current, which was sweeping France to war and ruin, increased in volume. The efforts, which this country continued to make to preserve the peace, were, and could only be, unavailing.[2] A proposal, which originated in the French Cabinet, that the whole question should be referred to a European congress, was brushed aside as inadmissible;[3] and, on the 15th of July, the Duc de Gramont in the Senate, and M. Ollivier in the Chamber, read the statement which virtually amounted to a declaration of war.[4]

War decided on.

No man, who dispassionately examines this melancholy history, will doubt that the war was the war of Count von Bismarck. Germany—so he had determined—had to be founded on blood and iron, and war with France was only the concluding act of the bloody drama, which had been inaugurated in Schleswig, and repeated at Sadowa. The Hohenzollern candidature might not have been a thing of his own devising; but it was employed by him to irritate France into hostility; and, when the withdrawal of the Prince removed the pretext, which his acceptance of the throne had afforded, his King's message was published in a shape which he anticipated would goad his opponents into madness. But, if the war was the war of Count von Bismarck, the French Government contrived, in the course of the negotiations, to persuade Europe that it was the war of France. Perhaps no minister, in

[1] In speaking to Lord Malmesbury, the Duke threw the chief blame on the Empress. *Memoirs of an Ex-Minister*, p. 665. But the chief blame must rest with the Duke.

[2] Lord Granville, on the 14th of July, suggested that France should cease to press for the assurance that Prussia would never sanction the Hohenzollern candidature; but that, in return, the King of Prussia should communicate to France his consent to the renunciation of Prince Leopold. *State Papers*, vol. lx. pp. 823, 837. On the 16th of July, he suggested that the dispute should be referred to some friendly power. *Ibid.*, p. 846. For the Duc de Gramont's reply, *ibid.*, p. 883.

[3] *Hist. du Second Empire*, vol. vi. pp. 292–294.

[4] *State Papers*, vol. lx. p. 838.

a grave crisis, ever displayed less tact or more temper than the Duc de Gramont. His unnecessary declaration on the 6th of July; his unnecessary demand, after Prince Leopold's withdrawal, that the candidature should not be revived; were the leading errors of a policy which contrived to put his country in the wrong. In the whole conduct of the negotiations, he displayed the passion of a partisan, instead of the judgment of a statesman.

France unprepared.

His faults would have been bad enough if France had been ready for war. They were the more grave because, whether she looked abroad or whether she looked at home, France had everything to gain from postponing or averting it. Abroad, there was at least a prospect that, if time were allowed, Austria—who, like France, had a Sadowa to avenge—might enter into an alliance with the French Empire. Since 1867, when the Emperor of the French had met his brother of Austria at Salzburg, and when he of Austria had subsequently paid a visit to Paris, public men, in both countries, had been speculating on the possibilities and advantages of a Franco-Austrian alliance. There was, indeed, an inherent difficulty in concluding a definite arrangement. For Austria wanted something less than France required. The conservative power in Central Europe desired to protect herself against the repetition of the disasters, which she had sustained in 1859 and 1866; the more restless power in Western Europe desired to re-establish the military predominance which its upstart neighbour on the other side of the Rhine was disputing with it. Differing in their aims and in their ambitions, France and Austria found it easier to agree on the principle than on the details of an alliance.[1] But the negotiations had already gone very far. In the spring of 1870, the Archduke Albert paid a visit to France with

The possibility of a Franco-Austrian alliance.

[1] De la Gorce, *Hist. du Second Empire*, vol. vi. pp. 148–157.

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the object of studying the military organisation of the Empire. The Archduke was the son of that Archduke Charles who, for the first twenty minutes of a battle, was the best of tacticians, and had himself shown his capacity for command by defeating the Italians at Custozza in 1866. The Emperor Napoleon and he talked much together about the possibilities of a war in which Austria and France should be engaged against Prussia; and the Emperor consented, at the Archduke's request, to send one of his most confidential officers to Vienna to arrange the plan of the campaign.[1] The plan, which was suggested by the Emperor and his military advisers, was that the allied armies—and it was hoped that Italy might be induced to join the alliance—should simultaneously invade Germany, neutralise by their presence the forces of the Southern German States, and ultimately march through Southern Germany on Saxony and on Berlin. But General Le Brun—the officer who was selected for this confidential mission—found, on his arrival at Vienna, that he was face to face with an unexpected difficulty. France—so he stated on the authority of Marshal Le Bœuf—could mobilise at least 400,000 men in fifteen days after the declaration of war. But Austria, so he learned, would require at least six weeks to complete her mobilisation. It was essential, therefore—so, at least, the Austrians thought—that France should commence the war before her allies committed themselves to hostilities. According to the Archduke's calculations, the French, at the end of five weeks, might reasonably hope to reach Nordlingeni, and Austria and Italy might, at that point, repudiate their neutrality and take part in the campaign. The Emperor of Austria, indeed, whom General Le Brun saw on the 14th of June, went hardly so far as the Archduke. He avowed his desire for peace; and his

[1] Le Brun, *Souvenirs Militaires*, p. 70.

reluctance, by joining France in an attack upon Prussia, to alienate his own German subjects. If, however, Napoleon, forced from any cause into war, marched into Southern Germany with the promise of restoring the liberties which it had lost in 1866, he would, at once, range himself on the side of France. In such a conjuncture, his own subjects would expect him to throw in his lot with the Emperor Napoleon.[1]

It seems plain, therefore, that if the French could have exercised a little more patience, and postponed the war, they would have had the advantage of seeing Austria on their side. A well-informed writer has indeed declared that if the battles of Wissembourg and Reichshofen had been postponed for eight days, Austria and Italy would have been bound in alliance with France.[2]

The Emperor Napoleon was acquainted with the views of his brother of Austria in the last days of June.[3] Within a fortnight the news of the Hohenzollern candidature burst upon him. Some men, who have closely studied Count von Bismarck's methods, may possibly think that a secret knowledge of what was going on at Vienna induced him to exert his influence to precipitate matters at Madrid. At any rate, all men will be disposed to consider that the fact that this negotiation was in progress made it incumbent on France to gain time. The Duc de Gramont's unwise declaration of the 6th of July seems doubly unwise when it is placed side by side with the fact that a few weeks' delay might conceivably have brought Austria into line with France. But if the

[1] See the remarkable memorandum of General Le Brun, giving an account of his interview with the Emperor of Austria, *Souvenirs Militaires*, p. 147.

[2] Hansen, *Les Coulisses de la Diplomatie*, p. 214. But cf. the remarkable despatch of the 20th July, 1870, from Count Beust to Prince Metternich, in which the writer argues that even in the interests of France it is expedient for Austria to remain neutral till the advance of the season made it impossible for Russia to concentrate her troops.

[3] Le Brun, *Souvenirs Militaires*, p. 83.

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critic, in consequence, is amazed at the rashness which the Duke displayed on the 6th of July, he is still more astonished at the folly which prompted the demand of the 13th of July. For, both on account of the Emperor of Austria, and for his own sake, the first object of France was to detach Southern Germany from Prussia; and the unnecessary requirement, that the King of Prussia should pledge himself for all time to forbid the Prince of Hohenzollern's candidature, was regarded throughout Germany as an insult, which drove Bavaria, and Baden, and Würtemberg into the arms of Berlin. The Duke, in fact, by this most unwise demand added 50 per cent. to the number of his country's enemies, and deprived it of the chance of securing the help of a most powerful empire.

The military deficiencies of France.

If France had maintained her old predominance in arms, the Duke might conceivably have been forgiven for putting everything 'to the touch.' But in 1870 the most optimistic Frenchman could hardly feel sure that this predominance was still hers. In 1868, indeed, France had been officially informed that she required 800,000 men for her protection; in 1870, Marshal Le Bœuf, the Minister of War—who, perhaps, after the Duc de Gramont, holds the chief responsibility for the great tragedy which was impending—authorised General Le Brun to say that he could place, at least, 400,000 men in the field.[1] On the eve of the war, he revised this estimate, and undertook to mobilise, within fifteen days after the declaration of war, 350,000 men.[2] A week later, he assured his colleagues that 'he was ready; he was ready,' and added that his preparations were far more advanced than those of his opponents.[3] But, on the 27th of July, twelve days after mobilisation had been ordered, he had succeeded in placing only 200,000

[1] Le Brun, *Souvenirs Militaires*, p. 76.
[2] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 220. [3] *Ibid.*, p. 307.

men on the Rhine.[1] Even on the 5th of August, the effective of the two armies under Marshal MacMahon and Marshal Bazaine amounted to only 210,000 men.[2] The army of the Rhine, even including non-combatants, never reached the number of 300,000 men.[3]

If Marshal Le Bœuf was guilty of the grave fault of exaggerating his own force, he was equally guilty of underrating the force of his opponents. He had probably inherited from his predecessor, Marshal Niel, the belief that Prussia could not bring more than 300,000 men into the field.[4] Prussia, it seems certain, long before the declaration of war, had made arrangements for placing, within fifteen days, 447,000 men on her frontier; and, as a matter of fact, at the beginning of August she had this number of men in the three armies whom she placed under the immediate commands of General Steinmetz, Prince Frederick Charles, and the Crown Prince of Prussia.[5]

If the combatants had been equally equipped, the advantage of numbers would have been on the side of Prussia; but, unfortunately for France, the organisation of her enemy was as complete as her own disorganisation was apparent. In the first place, the French army was not recruited on any territorial principle. The man, who was living in Alsace, had to repair, perhaps, to Bayonne for the arms and uniform which were to enable him to fight on the Rhine.[6] And it was not

[1] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 335; and cf. p. 328.

[2] Le Brun, *Souvenirs Militaires*, p. 51, *note*; but cf. the author's statement on p. 321, where General Le Brun puts the number on the 1st of August at 235,800. The Emperor was, or ought to have been, aware of his own deficiencies; for, on the 19th of May, 1870, he told Lord Malmesbury, with some evidence of dissatisfaction, that out of 350,000 soldiers who had voted at the recent plebiscite, 50,000 had voted 'non.' Lord Malmesbury immediately remarked, that he had thought his troops amounted to 600,000; and the Emperor made no reply, but looked suddenly very grave and absent. *Memoirs of an Ex-Minister*, p. 664.

[3] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 360.

[4] Le Brun, *Souvenirs Militaires*, p. 322.

[5] *Ibid.*, p. 231.

[6] I have taken the illustration

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merely that precious time was lost by an arrangement, which compelled a man to cross France twice before he could take his place in the ranks; the whole railway system was deranged by the vast crowd of men travelling from their homes to the depot, and from the depot to the frontier. The trains, crammed with these recruits, could find no room for the stores. 'We are in want of everything,' said one general. 'Everything is unsupplied,' said another. Regiments without tents, tents without ropes and pegs, cannon without powder, horses without harness, machine guns without the men who knew how to work them; and surrounding and impeding the veteran troops, a miscellaneous crowd of drunkards and thieves.[1]

If disorganisation, and its results, were everywhere apparent, the confusion was reflected in the condition of the Emperor's mind. History affords no more pitiful spectacle than that of the Third Napoleon at the close of his reign. Three days before the Duc de Gramont's declaration—on the 3rd of July—his doctor had decided on advising an exploratory operation in the hope of removing the cause of the sufferings to which he was already a prey,[2] and to which he ultimately succumbed. On the day of Saarbrück, he confessed to a friend that he was suffering horribly.[3] Weakened by illness and constant pain, he had little strength, either of mind or body, to control the movements or the operations of a great army. His old habit of irresolution increased with the growing feebleness due to illness and age. In the first fortnight of the war, he made three distinct arrangements for the command of the armies of the Rhine.

from the Brothers Margueritte, *Le Désastre*, p. 35; but M. de la Gorce says the same thing. *Hist. du Second Empire*, vol. vi. p. 335.

[1] *Ibid.*, p. 336: and see the striking account in *Le Désastre*, p. 85; and Le Brun, *Souvenirs Militaires*, p. 207.

[2] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 225.

[3] *Ibid.*, p. 366.

In the first instance he divided his forces into three armies: one in Lorraine, one in Alsace, and one in reserve at Châlons.[1] A little later, he broke up the three armies into eight corps, and assumed himself the command of the whole.[2] At the beginning of August, Marshal Bazaine was placed in direct command of three of the eight corps, and a little later was entrusted with the command of the entire army.[3]

The necessity for a vigorous offensive.

Weak, or comparatively weak, as the French armies were, their single hope lay in a vigorous offensive. It was of no slight importance to transfer the scene of bloodshed to the enemy's country; but it was of much higher importance, by a rapid advance, to isolate Southern Germany, and give it some excuse for disregarding the engagements into which it had been forced by Count von Bismarck. The whole arrangements had been planned with a view to an immediate advance across the Rhine. And this truth had been clearly grasped on both sides of the river. 'The best way of defending the Rhine is to cross it'—such was General Ducrot's opinion.[4] The great Prussian soldier, who was on the eve of his supreme triumph, had urged the same rule twelve years before: 'The true method of defending our native soil, is to carry the war into the enemy's territory.'[5] The leader, who had led the armies of the United States to victory, had said the same thing: 'The art of war is simply this: find out where your enemy is; get at him as soon as you can; strike at him as hard as you can, and as often as you can; and keep moving on.'[6] The temperament of the French strengthened the reasons for offensive war; since, as Voltaire[7] had

[1] De la Gorce, *Hist. du Second Empire*, p. 325.
[2] *Ibid.*, p. 327.
[3] Le Brun, *Souvenirs Militaires*, p. 214.
[4] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 137.
[5] *Ibid.*, p. 354.
[6] See *Ulysses Grant*, by Owen Wister, p. 41.
[7] 'Le Français qu'on attaque, est à demi vaincu.' *La Henriade*, x. 24.

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remarked a century before, 'The Frenchman who is attacked is already half beaten.'

A bold general would have certainly hazarded an advance.[1] Field-Marshal Moltke himself considered that he was not strong enough to resist an attack on the 22nd of July; he expected an attack on the 25th; and it was only on the 29th that he satisfied himself that he had not to reckon with a French offensive. The weak and suffering Emperor had, in fact, let the precious moments pass in which he might have achieved success by daring; and, unfortunately for him, the multitudes, whom he had left behind him at Paris, and who had seen him depart amid the shouts of 'Vive l'Empereur! Vive la France! A Berlin!' could not understand the reasons of the delay, any more than the troops who had persuaded themselves that they were about to win an easy victory on the Rhine, and add a new laurel to the wreaths which had crowned the tricolor at Jena, at Austerlitz, and at Solferino. Warned at last by the restlessness of his own troops, and the murmur of discontent which reached him from Paris, the Emperor made an idle demonstration on the Sarre. It enabled him to announce that the French had won another victory, and that his own son had undergone his baptism of fire. But the smoke had hardly cleared away from the battle-field, before the business of the war began in earnest.

The baptism of fire.

The French, instead of being massed in some central position from which they could move to any threatened point in force, were scattered over a frontier which

[1] De la Gorce, *Hist. du Second Empire*, vol. vi. pp. 356, 357. 'Le plan de campagne, un enfant peut le tracer! L'armée concentrée, on franchit le Rhin, entre Maxau et Gemersheim. On débouche dans le pays de Bade. On sépare l'Allemagne du Nord de celle du Sud. La Bavière et le Würtemberg sont immobilisés. L'Autriche et l'Italie prennent les armes. Reste cette fameuse Allemagne du Nord! (Il eut un geste d'insouciance.) Nous avions des grands-pères à Jéna.' *Le Désastre*, p. 47.

measured some 180 miles.[1] Their left rested on Thionville, near the neutral territory of Luxemburg; their right on Belfort, near the borders of Switzerland. On the 4th of August, the Prussians, under the Crown Prince, forced a passage over the frontier at Wissembourg, defeated a small corps of French under General Abel Douay, who fell mortally wounded; and, following up their advantage, drove General MacMahon, on the 6th, from the battle-field of Worth, over the Vosges to Châlons. On the same day, the armies, under General Steinmetz and Prince Frederick Charles, forced a passage across the Rhine, near the spot where the Prince Imperial had undergone his baptism of fire, and, winning the battle of Forbach, forced General Bazaine to retire on Metz.

The French defeated at Worth and Forbach.

To the gay and light-hearted Paris, the news of these grave events was as startling as it was unexpected. A few days before, they had persuaded themselves that the troops, whom they had seen marching to the war, amidst the cries of 'A Berlin!' and the music of the 'Marseillaise,' were entering on a campaign in which they would have little difficulty in re-establishing the waning reputation of their country. The Minister of War had assured the country that he was ready, more than ready.[2] The head of the Cabinet had declared that he entered on the war with a light heart; and, if these men were satisfied with the prospects of the campaign, France could not do otherwise than rely on the enthusiasm of her sons, which had carried her banners in the old time to the Danube and the Vistula, and which had gathered fresh laurels in the Second Empire on the Mincio and the Po. And now, instead of victory, came the tidings of defeat. The armies, which were to march in triumph to the Spree, had been already driven out of

[1] De la Gorce, *Hist. du Second Empire*, vol. vi. p. 331.

[2] 'Nous sommes prêts, archiprêts!' Seignobos, *Histoire Politique*, p. 170.

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Alsace and Lorraine. Their broken and disheartened battalions were seeking refuge under the walls of Metz and of Châlons. And the victorious Germans were pressing forward with a strength, due to organisation and numbers, which nothing in France could resist. At the news the Ministry fell, and the Empress sent for a soldier, General Palikao, and entrusted him with the task of conducting the government. Happily, perhaps, for General Palikao, no one thought of what was going on in Paris; the gaze of all was turned towards Metz and Châlons. At Metz, General Bazaine struggled to continue his retreat to the west, but was beaten in his attempt on three battle-fields. At Châlons, Marshal MacMahon endeavoured to reorganise a new army, with which he could march to the relief of Marshal Bazaine. Driven by the superior strength of the enemy to the north, he fought, on the 1st of September, the battle of Sedan; and there, on the 2nd of September, the whole of his army, with Napoleon at its head, laid down their arms.

The fall of the Ollivier Ministry.

Napoleon surrenders at Sedan.

The evacuation of Rome.

The direct result of the battle of Sedan was the fall of the Second Empire. The indirect result was the evacuation of Rome by the French, and the entrance of Italian troops into the historic city which was thenceforward to be the capital of the Kingdom of Italy. The great tragedy, which closed the Emperor's reign, thus completed the work which a successful military campaign, eleven years before, had done so much to forward; and Italy gained almost as much from the collapse of the Second Empire, as from its most important military achievement. The fate, which overwhelmed Napoleon, however, distracts attention from every country but France. In a few weeks she fell from the first place among nations to the fifth or even the sixth. Months were still before her of hopeless wrestling with a force superior to her own; the cup,

The fall of the Second Empire.

which she had to drink, was to be filled to the brim with humiliation and sorrow; the hardest terms, ever meted out to a defeated nation, were to be imposed on her by her conquerors; and her own children, in the depth of their suffering and despair, were to rise against the authorities which she had established, and were to pollute her capital with blood and fire. Again, as in the days of Henri IV., Paris was to see

> Le tumulte au dedans, le péril au dehors,
> Et partout les débris, le carnage et les morts.

Yet perhaps the surrender of Metz, the beleaguerment of Paris, the rising of the Commune, caused her less sorrow than the day of Sedan. For the agony of that defeat deadened the susceptibility to future pain.

The effect of the war on England.

In this country, the news of the outbreak of war and of the successive defeats of the French armies was received with mixed feelings.[1] There was, in the first instance, a general regret that peace should have been interrupted, and that war between two great continental powers should have broken out on such insufficient ground as the choice of a Hohenzollern prince for the throne of Spain. Even the best informed persons were ignorant of the part, which Count von Bismarck had played in the candidature, and were disposed to think that the French Government had resented too keenly the choice of a Prussian prince for a decaying throne. France, moreover, suffered in popular

[1] I have not thought it necessary to discuss the question, whether England should have stopped the war at the outset, by telling the French Emperor that, if he broke the peace, he would have to reckon with this country as well as Prussia. Count von Bismarck seems to have thought that she should have taken this course; and I understand that some Englishmen still consider that it ought to have been adopted. I confess that, in my judgment, such a course would have necessarily involved her taking a side in a quarrel, in which her Ministers rightly endeavoured to preserve a strict neutrality, and that it must have procured for us the enmity of the French people—an enmity which, not inconceivably, might have ultimately led to war between France and England. War, like a fire, is a great evil; but war, like fire, should be isolated, and not extended.

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estimation in England, from the military reputation which she enjoyed. The average British citizen shared the ignorance of his rulers, and believed that the Prussian army was no match for the masses of veteran troops which Napoleon was believed to have at his disposal. He thought that the Emperor, conscious of his own superiority, had forced on a struggle, for the purpose of destroying the prestige which the Prussian army had gained at Sadowa. The average British citizen, therefore, at the outset, was disposed to sympathise with Prussia, as the weaker side; but the British citizen was to receive a much more serious reason for his sympathy, for, on the 25th of July, the 'Times' published the draft treaty, which M. Benedetti had been foolish enough to frame in his own handwriting, under which France, with Prussian assistance, was empowered to enter and conquer Belgium. The publication of this draft seemed to confirm all the suspicions, which had been generated ten years before by the annexation of Savoy and Nice, and which neither treaties of commerce, nor the closer communications of the two countries, had succeeded in dissipating. Here, it was thought, was 'confirmation strong' of the true character of Napoleon III.'s policy. In vain the French newspapers declared that the French Government had no knowledge of the treaty, and that Napoleon III. had distinctly rejected the very proposals, which he was charged with embodying in the draft. In vain the French Ambassador called at the British Foreign Office, to detail the various temptations which Count von Bismarck had from 1865 downwards dangled before the eyes of Napoleon III., and to assure Lord Granville that this particular temptation had been unwillingly received and categorically rejected by the Emperor. The damning facts, that the draft was admittedly in M. Benedetti's handwriting, and that it was written on paper of the French Embassy in Berlin,

The publication of the Belgian treaty.

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were too strong for any explanations which newspapers or diplomatists could offer.

The British Government, on the publication of this treaty, was forced to take a step of supreme significance. It proposed, both to Prussia and France, a treaty providing that, 'if the armies of either violated the neutrality of Belgium, Great Britain should co-operate with the other for its defence, but without engaging to take part in the general operations of the war.'[1] Count von Bismarck at once accepted the proposal; France, a little more reluctantly, acceded to it after her first reverses; and an arrangement was thus made which effectually protected Belgian territory, and whose conclusion, for the time at any rate, increased the reputation of the Ministry which had proposed it.

The publication of the draft treaty alienated from France the sympathy of the greater portion of the British public. But, as the war proceeded, as defeat after defeat attended the French armies, the feeling of the public began to change. The crushing blow of Sedan stimulated the alteration of opinion. The British public reflected that, if France had behaved badly, if French ambition had led to proposals of territorial arrangements, the transgressor was the stricken Emperor, who had laid down his sword, and had been deprived of his sceptre. The greatness of the tragedy created a feeling of compassion. The British public, moreover, recollected that, if it had grounds of complaint against Napoleon, it had no cause of quarrel with the French people; it felt for the beautiful country, which was being crushed by the weight of the foreign invader; it felt for the gay city on the Seine, which was associated with all that is pleasant in life, and which was the scene of all that was bitter; and it longed,

[1] Morley, *Life of Gladstone*, vol. ii. p. 341. See *State Papers*, vol. lx. pp. 941–944. For the treaties, see *ibid.*, vol. lx. pp. 10, 13.

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if not for the victory of France, at any rate for the freedom of France from the invader.

But sympathy had no power to arrest the policy of blood and iron which was being carried out in Europe. With the regularity, with the power, of a great machine, directed and controlled by the brain of a great genius, the German armies were working for the predominance of Germany. Pitiless as fate, unrelenting as vengeance, they pursued their task without regard either to the hardships they were called on to endure, or the sufferings which they were inflicting on their adversaries; and they never paused till they had made their country the arbiter of continental Europe, and had brought down France to a level to which even Waterloo had not reduced her.

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